ONTARIO COLLEGE OF PHARMACISTS
COUNCIL MEETING AGENDA
MONDAY, DECEMBER 9, 2019 – 9:00 A.M.
COUNCIL CHAMBERS, 483 HURON STREET, TORONTO

1. Land Acknowledgement

2. Noting Members Present

3. Declaration of Conflict

4. Approval of Agenda

5. President's Opening Remarks
   5.1 Patient Story
   5.2 Briefing Note – President's Report to December 2019 Council ……………Appendix 5.2

6. Approval of Minutes of Previous Meeting
   6.1 Minutes of September 2019 Council Meeting ………………………………….Appendix 6.1

7. Notice of Motions Intended to be Introduced

8. Motions, Notice of Which Had Previously Been Given

9. Inquiries

10. Matters Arising from Previous Meetings

11. For Decision
   11.1 Briefing Note – Executive Committee – Governance Draft By-Law No. 6…Appendix 11.1
   11.2 Briefing Note – Finance and Audit – 2020 Budget……………………………Appendix 11.2
   11.3 Briefing Note – Registration Committee – Resolution on bridging education for international pharmacy technicians……………………………………….Appendix 11.3

12. For Information
   12.1 Briefing Note – Scope of Practice – Minor Ailments Update……………….Appendix 12.1
   12.2 Briefing Note – Registrar’s Report to December 2019 Council……………….Appendix 12.2
       - Strategic Priorities Progress Update
         a. Q3 2019 Council Scorecard
         b. Q3 2019 Council Scorecard Summary
         c. Council Scorecard Definitions
         d. 2020 Council Scorecard Preview
         – Ministry/Government Activities
– Federal/Provincial Initiatives
– Inter-Professional Relationships
– Other Stakeholder Meetings
– OCP Opioid Strategy Update
– Miscellaneous Items

13. Other Matters

14. Unfinished Business

15. Motion of Adjournment

As a courtesy to other Council Members, you are requested to please turn off your cell phones/pagers/blackberries and other hand-held devices that may cause disruption during the Council Meeting. There are breaks scheduled throughout the day in order to allow members the opportunity to retrieve and respond to messages.

Please note: The College is a scent free environment. Scented products such as hairsprays, perfume, and scented deodorants may trigger reactions such as respiratory distress and headaches. In consideration of others, people attending the College are asked to limit or refrain from using scented products. Your co-operation is appreciated.

Thank you.
FOR DECISION FOR INFORMATION X

INITIATED BY: Laura Weyland, President

TOPIC: President’s Report to December 2019 Council

ISSUE: As set out in the Governance Manual, the President is required to submit a report of activities at each Council meeting.

PUBLIC INTEREST RATIONALE: This report is circulated and posted publicly and speaks to the transparency of the Council and its activities.

BACKGROUND: I respectfully submit a report on my activities since the September 2019 Council Meeting. In addition to regular meetings and phone calls with the Registrar and the Vice President, listed below are the meetings, conferences or presentations I attended on behalf of the College during the reporting period.

Attached to my report is a summary of the September Council Meeting Evaluation (Attachment 1), the results of which will assist us in understanding and recognizing what is working well and identifying areas for improvement as we strive to advance the College’s mandate to serve and protect the public interest.

College and Other Stakeholder Meetings:
September 16 & 17 – Council Meeting
Oct 29 – Governance Working Group Meeting
November 8 – Finance & Audit Committee Meeting
November 20 – Canadian Foundation for Pharmacy Meeting
November 21 – Special Council Meeting
November 21 – Executive Committee Meeting
November 22 – Discipline Committee Fall Meeting
Bi-weekly meetings with Registrar
COUNCIL BRIEFING NOTE
MEETING DATE: SEPTEMBER 2019

FOR DECISION

FOR INFORMATION

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INITIATED BY: Laura Weyland, President

TOPIC: September 2019 Council Meeting Evaluation

ISSUE: As set out in the Governance Manual, after each Council meeting, Council performs an evaluation of the effectiveness of the meeting and provides suggestions for improvement.

BACKGROUND:
At the September 2019 Council meeting, we provided Council members with the opportunity to provide their feedback. 20 Council members responded to the survey. A summary of the input is being provided to Council for information.

1. Governance philosophy Council and staff work collaboratively, each in distinct roles, to carry out self-regulation of the pharmacy profession in the interest of the public and in the context of our mission statement and legislated mandate. How would you evaluate the meeting overall?

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Always</th>
<th>Frequently</th>
<th>Often</th>
<th>Occasionally</th>
<th>Never</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. In accordance with the governance philosophy, topics were related to the interest of the public and the purpose of OCP</td>
<td>17</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>2. Members were well prepared to participate effectively in discussion and decision making</td>
<td>9</td>
<td>7</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>3. In accordance with the governance philosophy, Council worked interdependently with staff</td>
<td>16</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>4. There was effective use of time</td>
<td>9</td>
<td>10</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>5. There was an appropriate level of discussion of issues</td>
<td>9</td>
<td>10</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>20</td>
</tr>
<tr>
<td>6. The discussion was focused, clear, concise, and on topic</td>
<td>8</td>
<td>10</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>20</td>
</tr>
</tbody>
</table>

2. Did the meeting further the public interest?

YES = 20 = 100%
NO = 0 =0%

3. Identify the issue for which you felt the discussion and decision-making process worked best, and why.

- The Registrar/CEO's performance appraisal presentation was much better handled than in previous years.
- The discussion about providing a new form of honorarium for elected members, in line with other colleges was excellent, with good questions asked, and respectful, appropriate responses provided.
I think it was very positive to spend the time with Melissa Sheldrick, the work recently done with AIMS will have a significant impact on pharmacy team effectiveness and patient safety. Systems thinking!

All of the items discussed allowed ample opportunity to ask questions and to vote on the issue.

Overall, I think the discussions on the second day of the meeting went relatively smoothly and efficiently. Most were prepared, and questions were relevant.

The change in governance was useful.

Governance modernization.

New governance model.

The discussion on the proposed governance changes as well as the in-camera session on the Registrar's performance appraisal -- there was robust discussion and as usual, the President did well encouraging everybody to throw in their questions.

The discussions and decision-making worked relatively well.

The discussion of Indigenous populations and health care went well, mostly because there was no disagreement as to the need.

Future priorities 2020 discussion because it was a mix of people talking, the slides were very well organized, the charts with indicators and targets were well put together.

Moving forward towards developing bylaws around new governance structure.

Data policy and implementation. Well summarized and good exposure to broad range of staff throughout.

4. Identify the issue(s) for which you have felt the discussion and decision-making process was not effective, and why. Note any areas where the distinction between governance and operations was unclear.

It was difficult to understand why some of the information, provided by OCP staff, was offered. Suggestion: ensure every slide is important, often less is more re presentations, especially at the end of an issue-packed, two day meeting.

I felt that the bylaw changes were very guides. It wasn’t really a discussion but more the executive defending decisions they already had made.

Some portions of the governance discussion were not efficient. It seemed like some people were re-visiting our previous discussion and decisions, versus the specific objectives and next steps for this meeting.

There was a lot of questions of the new council members challenging decisions that were already approved. This has slowed down the discussion. We should have had a pre discussion with them.

At times, the discussion was a bit lengthy with members doing more commenting than questioning or clarifying. Not sure if anything can be done about that.

The beginning of the discussion of the Governance changes got bogged down in detail, went more smoothly when it was made clear we were at the concept stage rather than word smithing

The governance discussion was challenging to focus on concepts in the absence of enough specifics.

A few areas where discussion meandered away from the College's mandate and operational boundaries.
5. Using the Code of Conduct and Procedures for Council and Committee Members as your guide, in general, how satisfied are you with Council members’ ability to demonstrate the principles of accountability, respect, integrity and openness?

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completely Satisfied</td>
<td>14</td>
</tr>
<tr>
<td>Mostly Satisfied</td>
<td>5</td>
</tr>
<tr>
<td>Neither Satisfied Nor Dissatisfied</td>
<td>0</td>
</tr>
<tr>
<td>Mostly Dissatisfied</td>
<td>0</td>
</tr>
<tr>
<td>Completely Dissatisfied</td>
<td>0</td>
</tr>
<tr>
<td>Total Responses</td>
<td>19</td>
</tr>
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6. Suggestions for improvement and General Comments (name of respondent - optional)

- The briefings by the Finance Committee chair were well done. And the Registrar’s report was thorough and informative.
- Impressed by the overall tenor of this meeting: the Council, President and the Registrar worked very well together. Important to always remember that briefing materials be concise, recommendations for Council approval be precise.
- I think all council members should contribute to discussions
- I thought the section where Susan’s team all presented their areas of expertise to be the most interesting. It was good to hear from each individual and their passion for their areas was clear. Each was a good presenter and I hope we see something similar all year from the other functional areas.
- Very professionally done!
- It continues to be important for all council members to review materials prior to the meeting, as well as review previous materials if necessary to ensure effective discussions and decision making.
- Overall I thought this was an excellent meeting.
- I want to commend all the presenters for the breadth or substance of their respective topics. It was obvious that a lot of effort went into the presentation materials and all presenters really knew their turf. Although it was not part of the actual meeting proceedings, I also want to take this opportunity to appreciate specifically Sarah (and Stephanie?) for her/their excellent writing of materials covered in the meeting. Gone were the days when one has to muddle through each page and round-about paragraphs. Now, they are concise and easy-to-read. Of all the Council meetings I have attended thus far, I consider these 2 days (especially the second) among, if not the most, meaty. That yours is a high-performing and supportive team is obvious from the top down. Am proud to be affiliated with OCP.
- Suggest the CouncilBoard consider engaging in an assessment process similar to that utilized for the College leadership/staff third party evaluation.
- These were excellent meeting days, well organized and thought out. It is clear the OCP has difficult decisions ahead and the Board and staff are ready for these changes.
- I enjoyed the staff presentations. While the info was a little dry (transparency slides) it was well presented by the staff and the questions that arose were answered well.
- A quick and up front focusing in of Council on why they are about to hear a topic and how specifically it pertains to the College mandate. As well a reminder to stay on point with questions would be good guidance.

Respectfully submitted,

Laura Weyland, President
MINUTES OF MEETING
OF COUNCIL
SEPTEMBER 16 & 17, 2019
1. Noting Members Present ................................................................. 4
2. Declaration of Conflict ................................................................. 4
3. Approval of Agenda .................................................................... 4
4. President's Opening Remarks .................................................... 4
  4.1 Reflections from a Patient ......................................................... 4
  4.2 Briefing Note – President’s Report to September 2019 Council 4
5. Approval of Minutes of Previous Meeting ............................. 5
  5.1 Minutes of June 2019 Council Meeting .................................... 5
  5.2 Minutes of August 2019 Council Meeting ............................... 5
6. Notice of Motions Intended to be Introduced ....................... 5
7. Motions, Notice of Which Had Previously Been Given ........ 5
8. Inquiries ................................................................................... 5
9. Matters Arising from Previous Meetings ............................... 5
11. Briefing Note – Elections Committee ........................................... 5
  11.1 Election of President ............................................................... 6
  11.2 Election of Vice President ....................................................... 6
  11.3 Past Presidents Award ............................................................ 6
  11.4 Appointment of Nominating Committee ................................. 6
  11.5 Election of Executive Committee ............................................ 6
  11.6 Election of Committee Chairs ................................................ 7
12. Registrar’s Annual Performance Appraisal – In Camera ........ 9
13. For Decision ............................................................................ 9
  13.1 Briefing Note – Executive Committee – Governance Renewal 9
  13.1.1 Motion of Adjournment ...................................................... 9
  13.2 Briefing Note – Finance and Audit Committee – Cost of Living Fee Increases 12
  13.3 Briefing Note – Finance and Audit Committee – Appointment of Auditor 12
  13.4 Briefing Note – Patient Relations Committee – Indigenous Cultural Competency 13
14. For Information ....................................................................... 14
  14.1 Briefing Note – Statutory and Standing Committee Reports 14
  14.2 Briefing Note – Assurance and Improvement in Medication Safety (AIMS) 15
  14.3 Briefing Note – Opioid Strategy: Narcotics Monitoring Systems (NMS) Data Snapshot 15
  14.4 Briefing Note – Registrar’s Report to Council .......................... 15
15. Other Matters ......................................................................... 16
  15.1 2020 Operational Plan Presentation ....................................... 16
  15.2 Approval of Appointments to Statutory And Standing Committees 16
16. Unfinished Business ................................................................. 17
  16.1 Motion respecting Circulation of Minutes ............................ 17
17. Motion of Adjournment ............................................................ 17
MONDAY, SEPTEMBER 16, 2019 – 9:00 A.M.

COUNCIL CHAMBERS, ONTARIO COLLEGE OF PHARMACISTS

Elected Members

District H  Dr. Régis Vaillancourt, Ottawa
District H  Ms. Nadia Facca, London
District K  Mr. Mark Scanclon, Peterborough
District K  Ms. Tracey Phillips, Westport
District L  Mr. Billy Cheung, Markham
District L  Mr. James Morrison, Burlington
District L  Mr. Siva Sivapalan, Burlington
District M  Mr. Mike Hannahal, Toronto
District M  Mr. Kyro Maseh, Toronto
District M  Ms. Laura Weyland, Toronto
District N  Mr. Tom Kontio, London
District N  Ms. Leigh Smith, Cambridge
District N  Dr. Karen Riley, Sarnia
District P  Ms. Rachelle Rocha, Sudbury
District P  Mr. Douglas Stewart, Sudbury
District T  Ms. Connie Beck, Petrolia
District TH Mr. Goran Petrovic, Kitchener

Dr. Lisa Dolovich, Interim 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
Mr. David Breukelman, Burlington
Ms. Christine Henderson, Toronto
Mr. Azeem Khan, Pickering
Ms. Elnora Magboo, Brampton
Ms. Sylvia Moustacalis, Toronto
Ms. Joy Sommerfreund, London
Mr. Dan Stapleton, Toronto
Mr. Gene Szabo, Kanata

Staff present

Ms. Nancy Lum-Wilson, CEO/Registrar
Ms. Anne Resnick, Deputy Registrar/Director, Conduct
Ms. Connie Campbell, Director, Corporate Services
Ms. Susan James, Director, Quality
Ms. Sarah MacDougall, Council & Committee Liaison
Ms. Stephenie Summerhill, Executive Assistant to the CEO/Registrar

Invited Guests

Valerie Davis, President, Lysistrata Incorporated
1. Noting Members Present

Member attendance was noted.

2. Declaration of Conflict

There were no conflicts declared.

3. Approval of Agenda

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

4. President’s Opening Remarks

President Weyland welcomed members to the new Council year and offered her gratitude to those who were able to be in attendance at the Council Reception the evening before. The President noted the returning members: Billy Cheung and James Morrison were reelected in District L and Tracey Phillips was acclaimed in District K. She then welcomed the new Council members: Connie Beck elected in District T, Siva Sivapalan elected in District L and Mark Scanlon acclaimed in District K. Ms. Weyland asked each of them to introduce themselves and say a few words.

Ms. Weyland noted the launch of the Nasdaq Boardvantage system for the posting and disseminating of Council and Committee materials and commended staff on the rollout efforts to date.

4.1 Reflections from a Patient

Ms. Weyland reminded Council that hearing patient reflections and stories allow the Council the opportunity to learn from the perspectives of patients and their families regarding their experiences with pharmacies, pharmacists and pharmacy technicians. Council then viewed a video recorded by a patient.

4.2 Briefing Note – President’s Report to June 2019 Council

Ms. Weyland referred to her report, which contains a summary of her activities since the previous Council meeting. These included attending various committee meetings at the College as well as meetings with the Registrar and the Vice President.

The Council received the report on meeting attendance which comes forward annually in September as per the College’s current Governance Manual. Ms. Weyland thanked Council members for completing the Council Meeting, annual Council, and Council member evaluations. It was noted that many of the questions in the current Council yearly evaluation are based on the governance manual developed in 2016 and could be considered quite operational, therefore falling outside of the oversight scope of a governing Board. Ms. Lum-Wilson explained that with the governance reform well underway this manual will be replaced with a guiding document that will be reflective of the new framework of the Board of Directors and that subsequently a new evaluation will be developed.
The briefing note was received for information by Council.

5. Approval of Minutes of Previous Meeting

5.1 Minutes of June 2019 Council Meeting

It was moved and seconded that the Minutes of the June 2019 Council meeting be approved. The motion CARRIED.

5.2 Minutes of August 2019 Council Meeting

It was moved and seconded that the Minutes of the August 2019 Council meeting be approved. 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

There were none.


11. Briefing Note - Elections Committee

Ms. Weyland advised Council that the Elections Committee was appointed at the June 2019 Council meeting and that she, together with committee members Dr. Vaillancourt and Mr. Stapleton, met on August 22, 2019 to put together the slate of members being presented in this briefing note. Ms. Campbell provided Council members with an overview of the electronic voting process, whereby votes would be displayed on the screen upon the close of each vote.
Ms. Weyland asked Mr. Stapleton, as a member of the elections committee, to preside over the elections for President and Vice President of Council.

11.1 Election of President

Council noted that there was one candidate (Mr. Doug Stewart) nominated for the position of President. Upon being asked to confirm that he wished to let his name stand, Mr. Stewart indicated that he wished to withdraw his name and that he would like to nominate Ms. Laura Weyland. Mr. Stapleton confirmed that Ms. Weyland wished to let her name stand and then asked for further nominations from the floor.

Hearing none, a motion to close the nominations was moved and seconded. The motion CARRIED.

Ms. Weyland was declared President for the 2019/2020 term, after which she briefly addressed Council.

11.2 Election of Vice President

Council noted that there was one candidate (Mr. Billy Cheung) nominated for the position of Vice President. After confirming that Mr. Cheung wished to let his name stand, Mr. Stapleton asked for further nominations from the floor.

No further nominations were received and a motion to close the nominations was moved and seconded. The motion CARRIED.

Mr. Cheung was declared Vice President of the College for the 2019/2020 term.

Mr. Stapleton advised Council that with the mandate of the Elections Committee now over, the President would continue with the remaining elections and agenda.

11.3 Past President’s Award

With President Weyland’s re-election the past president award was not presented.

11.4 Appointment of Nominating Committee

It was moved and seconded that together with President, Ms. Weyland, newly elected Vice President, Mr. Cheung, Mr. Stapleton and Dr. Vaillancourt be appointed to serve on the Nominating Committee. CARRIED.

11.5 Election of Executive Committee

Ms. Weyland announced that the bylaws required that the past president position on the Executive Committee would be held by the immediate past president, and accordingly, that position would continue to be held by Dr. Vaillancourt. She added that elections would now be held for the one remaining elected member position on the Executive Committee.
Council noted that Ms. Facca, Mr. Maseh, Mr. Morrison, Ms. Rocha and Mr. Scanlon had expressed an interest in serving on the Executive Committee. President Weyland then asked for nominations from the floor.

No further nominations were received and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

All candidates were invited to briefly address Council after which members were requested to cast their electronic ballots.

Ms. Weyland announced that Mr. Morrison was elected to serve on the Executive Committee for the 2019/2020 term.

Council next noted that public members Ms. Al-Zand, Ms. Moustacalis and Mr. Breukelman had all expressed an interest in serving on the Executive Committee. The President then asked for nominations from the floor.

No further nominations were received and **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Ms. Al-Zand, Ms. Moustacalis and Mr. Breukelman were declared acclaimed to three seats allocated to public members on the Executive Committee for the 2019/2020 term.

**11.6 Election of Committee Chairs**

Accreditation and Drug Preparation Premises Committees (DPP)

The President noted that Dr. Vaillancourt had indicated his intention to run for the position of Chair of the Accreditation and DPP Committees. President Weyland confirmed that Dr. Vaillancourt wished to let his name stand then asked for further nominations from the floor. 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 and DPP Committees.

Discipline Committee

The President noted that Ms. Henderson and Mr. Scanlon had indicated they would run for the position of Chair of the Discipline Committee. Ms. Henderson confirmed her willingness to serve as Chair and Mr. Scanlon withdrew this name. The President then asked for further nominations from the floor, and hearing none, **a motion to close the nominations was moved and seconded. The motion CARRIED.**

Ms. Henderson was declared Chair of the Discipline Committee.

Finance and Audit Committee

The President noted that Mr. Stapleton had indicated his interest in running for the position of Chair of the Finance and Audit Committee. Mr. Stapleton confirmed his willingness to
serve as Chair. President Weyland then asked for further nominations from the floor and hearing none, a motion to close the nominations was moved and seconded. The motion CARRIED.

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

Fitness to Practise Committee

The President noted that Mr. Morrison and Ms. Riley had indicated their interest to serve as Chair of the Fitness to Practise Committee. Mr. Morrison confirmed his willingness to serve as Chair and Ms. Riley chose to withdraw her name. President Weyland then asked for further nominations from the floor. There were no further nominations and a motion to close the nominations was moved and seconded. The motion CARRIED.

Mr. Morrison was declared chair of the Fitness to Practise Committee.

Inquiries, Complaints and Reports Committee (ICRC)

The President noted that Mr. Hannalah and Ms. Rocha had indicated their interest to serve as Chair of the ICRC. Ms. Rocha confirmed her willingness to serve and Mr. Hannalah withdrew his name. President Weyland asked for further nominations from the floor. There were no further nominations and a motion to close the nominations was moved and seconded. The motion CARRIED.

Ms. Rocha was declared the Chair of the Inquiries, Complaints and Reports Committee.

Patient Relations Committee

The President noted that Ms. Al-Zand had indicated her interest in running for the position of Chair of the Patient Relations Committee. Ms. Al-Zand confirmed her willingness to serve as Chair. President Weyland then asked for further nominations from the floor and hearing none, a motion to close the nominations was moved and seconded. The motion CARRIED.

Ms. Al-Zand was declared Chair of the Patient Relations Committee.

Quality Assurance Committee

The President noted that Ms. Phillips had indicated her interest in serving as Chair of the Quality Assurance Committee. Ms. Phillips requested the President ask for nominations from the floor and the President did so. Ms. Smith and Ms. Riley indicated they were interested in running for the position of Chair, and Ms. Phillips withdrew her name. A motion to close the nominations was moved and seconded. The motion CARRIED.

Both candidates were invited to provide brief remarks to Council after which Council members were asked to cast their electronic ballots. The President announced that Ms. Riley had been elected Chair of the Quality Assurance Committee.
Registration Committee

The President noted that Mr. Hannalah, Ms. Moustacalis and Mr. Scanlon had declared their intention to run for Chair of the Registration Committee. Mr. Hannalah withdrew his name and Ms. Moustacalis and Mr. Scanlon confirmed their willingness to serve as Chair. The President then asked for further nominations from the floor, and hearing none, a motion to close the nominations was moved and seconded. The motion CARRIED.

Both candidates were invited to provide brief remarks to Council after which Council members were asked to cast their electronic ballots. The President announced that Ms. Moustacalis had been elected Chair of the Registration Committee.

12. Registrar’s Annual Performance Appraisal – In Camera

Ms. Valerie Davis, President, Lysistrata Incorporated was asked to facilitate a presentation to Council members regarding the 360° feedback received on the Registrar’s performance over the past year. This feedback had been collated for final approval by Council. President Weyland advised that 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, the discussion would be held in-camera. It was moved and seconded that Council do now, at 11:00 a.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 Chambers during the discussion of this agenda item.

It was moved and seconded that at 12:07 p.m., Council end the closed meeting discussion and return to the public meeting. CARRIED.

Staff members and observers were invited back into the Council Chambers.

13. For Decision

13.1 Briefing Note – Executive Committee – Governance Renewal

President Weyland introduced the briefing note on behalf of the Governance Working Group of the Executive Committee. Ms. Weyland indicated that Council would put aside the rules of procedure that would normally be followed and will undertake a facilitated discussion to allow for debate on the points under consideration. A motion will then be brought forward and voted on at the end of the discussion.

Council was provided the background information regarding the governance reform work to date both at OCP and the Advisory Group for Regulatory Excellence (AGRE) Colleges. Council initially considered the issue of governance reform in December of 2018. In June 2019, Council further considered formal governance reform intentions that will guide the specific recommendations and changes to be brought forward to Council for decision in order to allow for the drafting of bylaws to operationalize the new governance framework.
Council discussed the proposed eligibility criteria and desired competencies as written in the briefing note and made one change to allow for the nature of the Inquiries, Complaints and Reports Committee (ICRC) findings to be considered before determining if the candidate meets the criteria to run for election.

Council also discussed the amount that Council and committee members would receive as a taxable honorarium for time spent on College work. Council approved the amount proposed by the Executive Committee of $260/day or $130 for less than three hours.

The proposed governance framework includes the recruitment and appointment of lay members to committees to ensure the public voice is represented on those committees with no government appointed public member Lay committee appointees will be selected using the same competency-based recruitment and screening process as professional non-Council committee appointments and will receive the same honorarium as professional committee appointees.

Ms. Weyland emphasized that the new governance framework is grounded in adopting best practices and in building greater public trust in the College and its ability to deliver on its mandate of public protection. The bylaws reflecting Council’s decisions and approved intentions will be drafted and presented at the December 2019 meeting and, following stakeholder consultation and final Council approval in the spring, will become effective at the start of the 2020/21 Council year.

President Weyland asked Dr. Vaillancourt to bring forward a motion.

The motion: That Council approve the concepts as articulated through the discussion agreed to by Council to enable the drafting of bylaws to operationalize the framework effective the start of the 2020/2021 Council year was called to a vote.

The motion was moved and seconded. The motion CARRIED.

13.1.1 Motion of Adjournment

It was moved and seconded that Council do now, at 3:30 p.m., adjourn to reconvene on Tuesday, September 17, 2019 at 9:00 a.m. President Weyland further reminded the Nominating Committee and newly-elected Chairs to remain in the Council Chambers after the meeting to consider the appointment of members to the statutory and standing committees of the College. Council members voted in favour of the motion. CARRIED.
TUESDAY, SEPTEMBER 17, 2019 – 9:00 A.M.

COUNCIL CHAMBERS, ONTARIO COLLEGE OF PHARMACISTS

Elected Members

District H Dr. Régis Vaillancourt, Ottawa – Regrets
District H Ms. Nadia Facca, London
District K Mr. Mark Scanclon, Peterborough
District K Ms. Tracey Phillips, Westport
District L Mr. Billy Cheung, Markham
District L Mr. James Morrison, Burlington
District L Mr. Siva Sivapalan, Burlington
District M Mr. Mike Hannalah, Toronto
District M Mr. Kyro Maseh, Toronto
District M Ms. Laura Weyland, Toronto
District N Mr. Tom Kontio, London
District N Ms. Leigh Smith, Cambridge
District N Dr. Karen Riley, Sarnia
District P Ms. Rachelle Rocha, Sudbury
District P Mr. Douglas Stewart, Sudbury
District T Ms. Connie Beck, Petrolia
District TH Mr. Goran Petrovic, Kitchener

Dr. Lisa Dolovich, Interim 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
Mr. David Breukelman, Burlington
Ms. Christine Henderson, Toronto
Mr. Azeem Khan, Pickering
Ms. Elnora Magboo, Brampton
Ms. Sylvia Moustacalis, Toronto
Ms. Joy Sommerfreund, London
Mr. Dan Stapleton, Toronto
Mr. Gene Szabo, Kanata

Staff present

Ms. Nancy Lum-Wilson, CEO/Registrar
Ms. Anne Resnick, Deputy Registrar/Director, Conduct
Ms. Connie Campbell, Director, Corporate Services
Ms. Susan James, Director, Quality
Ms. Sarah MacDougall, Council & Committee Liaison
Ms. Stephenie Summerhill, Executive Assistant to the CEO/Registrar

Invited Guests

None
13.2 Briefing Note - Finance and Audit Committee - Cost of Living Fee Increases

Ms. Weyland invited Mr. Stapleton, Chair of the Finance and Audit Committee, to introduce the briefing note.

Mr. Stapleton reminded Council that in December 2018 the decision was made to increase fees by 25% after years of stable fees. The College had been able to manage the increasing fiscal demands due in large part to the steady growth in pharmacist and pharmacy technician registration. That growth has tapered off impacting revenue while expenses continued to climb as the College faced increasing volume and complexity of complaints and subsequent investigations. After considering the feedback received from registrants through the open consultation in 2018 on the fee increase, Council considered how it could avoid similar large fee increases in the future and recommended that the Finance and Audit Committee consider other alternatives. In response, College staff conducted a review of the approach of other health regulators in Ontario and found that nearly half had implemented by-laws which allowed for annual increases tied to the Consumer Price Index (CPI). Accordingly, the Finance and Audit Committee is recommending bylaws be amended to provide for annual cost of living fee increases tied to CPI beginning in 2021.

Following discussion, the motion that Council approve that the College bylaws be amended to provide for annual cost of living fee increases across all fee categories to commence in 2021 was called to a vote.

The motion was moved and seconded. The motion CARRIED.

13.3 Briefing Note - Finance and Audit Committee - Appointment of Auditor

Ms. Weyland invited Mr. Stapleton, Chair of the Finance and Audit Committee, to introduce the briefing note.

Mr. Stapleton provided that the audit firm Tinkham and Associates was appointed in 2017 after dissolution of the previous auditor with the commitment to go to market in 2019. The Finance and Audit Committee has decided that it is satisfied with the performance of the current firm and that undertaking a full market review at this time is unnecessary. The Committee is committed to evaluating the firm’s performance annually and requesting the periodic cycling of the audit lead to ensure ongoing independence and objectivity. Accordingly, the Finance and Audit Committee is recommending Tinkham and Associates be appointed as the auditor for 2019. The audit fees were discussed and Mr. Stapleton and Ms. Campbell both indicated that the fees charged by Tinkham are priced competitively.

Following discussion, the motion that Council approve that Tinkham and Associates LLP be appointed as auditor for 2019 was called to a vote.

The motion was moved and seconded. The motion CARRIED.
13.4 Briefing Note - Patient Relations Committee - Indigenous Cultural Competency

Ms. Weyland invited Ms. Al-Zand, Chair of the Patient Relations Committee, to introduce the briefing note.

Ms. Al-Zand informed Council of the work of the Patient Relations Committee and its recent approval of an initiative to improve patient care for Indigenous communities in Ontario. Through the Truth and Reconciliation Commission of Canada: Calls to Action published in 2015, regulated health care professionals are implored to actively contribute to positive change and improved health outcomes of the indigenous population of Ontario.

Ms. Resnick added that the Indigenous populations are underserved in Ontario and that there is experience among health care practitioners and other regulatory colleges in acknowledging and implementing some of the recognized opportunities for change. The catalyst for this initiative arose from a meeting in 2018 called by the Royal Canadian Mounted Police in Kingston to address the state of emergency facing the local Indigenous population. Ms. Resnick also pointed out that there is confluence with the College’s established strategic priorities and alignment with its Opioid Strategy. It was also noted that other communities will benefit from the College establishing a response to the work needed to recognize at-risk populations.

The Patient Relations Committee formally recommended to Council that the College adopt the opportunities outlined in the briefing note to cultivate Indigenous cultural competency amongst College staff and its registrants. These include the development of a formal Commitment to Act, the creation of web materials and resources related to the development of Indigenous cultural competency among registrants, and the introduction of a land acknowledgement at every Council meeting. In addition, the College should strive for relationship building and engagement with Indigenous communities and healthcare advocacy groups that focus on Indigenous health.

Both Deans of the Schools of Pharmacy offered that there are courses in development on cultural competency which will allow future graduates to have had the opportunity to learn about how to best interact with patients from various cultures. Ms. Resnick confirmed that the College’s initiatives will continue to be developed in partnership with members of Indigenous populations. Council commended the efforts of the Patient Relations Committee in recognizing the importance of this work to begin to understand how to respond to the unique needs of Indigenous communities. Several Council members provided their feedback on various initiatives and training they have had the opportunity to participate in and supported the view that the rollout will need to be thoughtful and deliberate. The opportunity to have Council participate in education regarding Indigenous populations was also discussed and supported.

Following discussion, the motion that the College adopt the opportunities outlined in the briefing note to cultivate Indigenous cultural competency amongst the College staff and its registrants was called to a vote.

The motion was moved and seconded. The motion CARRIED.
**Special recognition of Ms. Melissa Sheldrick for her significant contributions to advancing medication safety**

On the second day of the Council meeting, the College celebrated World Patient Safety Day by formally recognizing patient safety advocate Melissa Sheldrick as an Honourary Member of the College (non-practicing) for her work on the development of the Assurance and Improvement in Medication Safety (AIMS) Program and for her outstanding contributions to advancing medication safety in Ontario.

From the very beginning in the College’s journey toward the development of the AIMS Program, Melissa provided the voice and perspective needed to guide the College’s work and ground its efforts in doing what is best for patients after losing her son Andrew to a medication error involving a pharmacy. She was instrumental in shaping the program that we have today – one focused on the principles of a safety culture that includes anonymous medication incident reporting, effective documentation and analysis and the sharing of learnings.

As the College moved forward, Melissa remained an invaluable supporter, from the moment that Council approved the program, through to the Ambassador phase, and through to where the College is now with full province wide roll out in 4,500+ community pharmacies in sight.

Her contributions, and her son’s legacy, are also eternally etched into the visual identity of the AIMS Program, a name chosen to not only capture the essence of the program but also done deliberately in a way that recognizes Andrew’s initials, the stylized A and S, in the program’s logo. As the College sets its sights on completing the province-wide roll out with the remaining community pharmacies this fall, the College felt it was an ideal time to formally recognize Melissa for her contributions to medication safety in Ontario, and around the world.

As presented by Ms. Nancy Lum-Wilson, CEO and Registrar:

“Melissa, on behalf of the Council, staff and registrants of the Ontario College of Pharmacists, and on behalf of all Ontarians, it is an honour and privilege to officially bestow upon you an Honourary Membership of the College for the outstanding contributions you have made to advancing medication safety in this province, across the country and around the world, and for your commitment to the College’s mandate to regulate the profession of pharmacy in the public interest.

In doing so, we hope that it serves well as an expression of the extent of our appreciation and gratitude for your work, with best wishes for what we hope will be an ongoing role in promoting patient safety throughout the country for years to come. Our health system will be better for it.”

14. **For Information**

14.1 **Statutory and Standing Committee Reports**

President Weyland next advised Council that as required in the *Regulated Health Professions Act* and the College by-laws, all statutory committees were required to submit an annual report to Council. She referred Council to the reports, added that they were provided for information only and none of the material in the reports was new but a re-cap of what had occurred and reported on during the previous Council year. She acknowledged the work done by all the Committees over the past year.
A motion to approve the appointments to the Statutory and Standing Committees was moved and seconded. Council members voted in favour of the motion. CARRIED.

14.2 Briefing Note - Assurance and Improvement in Medication Safety (AIMS)

Ms. Weyland invited Ms. James, Director of Quality to introduce the briefing note.

Ms. James emphasized the release of the first expert bulletin on medication safety through the AIMS Program which was released along with an aggregate data snapshot of incidents and near misses reported by pharmacies on-boarded to the AIMS Program to date. Council members were urged to read the first expert bulletin to see the learnings to date.

Ms. James informed Council of the progress of the AIMS Program in community pharmacies in Ontario. Currently, 83% of all community pharmacies have on-boarded to the AIMS program and the Pharmapod incident recording platform. It is expected that remaining pharmacies will be on boarded by late fall. As well, the College has introduced a Pharmacy Safety Self Assessment (PSSA) tool designed to bring heightened awareness to the distinguishing characteristics of safe pharmacy systems. The tool is being piloted in a group of community pharmacies this fall. Self-assessment criteria that will influence safe medication use have been developed and will be used by pharmacy teams to make improvements in their practice and operations, to proactively improve patient safety. Feedback from the pilot will be collected and analyzed before full roll-out. Ms. James also updated Council on the work related to implementation of the AIMS Program within hospital pharmacies by better understanding how to build upon their well-established medication safety processes. The College is continuing to collaborate with hospital pharmacy stakeholders as this work moves forward.

14.3 Briefing Note - Opioid Strategy: Narcotics Monitoring System (NMS) Data Snapshot

Ms. Weyland invited Ms. James, Director of Quality to introduce the briefing note.

Ms. James provided an update on the College’s collaboration with the Ministry of Health related to the release of an aggregate data analysis from the provincial Narcotics Monitoring System (NMS) focused on opioid dispensing. The goal of releasing this data analysis is to provide information to help the College, its partners, and pharmacy professionals, to identify areas for further education and collaboration, educate pharmacy stakeholders (including the public) about dispensing patterns in the province, and highlight opportunities for pharmacy professionals to assess and enhance the quality and safety of their opioid-related practice.

The data analysis is provided to the College by the Ministry of Health; it is in an aggregate format and does not identify any specific pharmacies or pharmacy professionals. The first NMS opioid dispensing snapshot report is anticipated to be publicly released later this fall.

14.4 Briefing Note - Registrar’s Report to Council

Ms. Weyland invited the Registrar, Ms. Lum-Wilson, to address Council.

The report, included with the materials for the meeting, outlined key activities of the College since the last Council meeting. Of specific note, Ms. Lum-Wilson provided Council with an update that
following the Special Council meeting on August 22, 2019, the first set of proposed regulatory amendments to enable expanded scope of pharmacists have been posted for consultation, following which Council will consider the consultation feedback and final regulatory amendments for approval prior to submitting them to the Minister by November 30, 2019. As this work proceeds, the College has also begun to focus on the development of regulatory amendments required to enable pharmacist prescribing for certain minor ailments, for submission by June 30, 2020.

Council was also presented the results of the latest staff engagement ‘pulse’ survey. Ms. Lum-Wilson indicated that she and the executive team are fully committed to acting on the opportunities to further strengthen staff engagement. Several strategies are already in development and will be rolled out over the coming year. Council commended the College and Ms. Lum-Wilson’s decision to share this information openly for discussion.

The briefing note was received for information by Council.

15. Other Matters

15.1 2020 Operational Plan Presentation

Ms. Lum-Wilson presented an overview of the Council-defined 2019-2021 strategic priorities as well as the milestones achieved to date expressed through the Council Scorecard. She was joined by College staff who presented highlights on the key initiatives and priorities for 2020 with a focus on risk-based regulation strategies, transparency and data and analytics. A high-level overview of the 2020 operational plan that will serve as the basis for the budget that will be submitted to Council for approval in December was provided.

15.2 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. Feedback from Council members was noted, and the President advised that adjustments to the list would be made, not only based on this feedback, but also if a need to make further changes was identified by the new Chairs and staff resources. Council members voted in favour of the motion. CARRIED.

16. Unfinished Business

Ms. Weyland reminded Council members to complete the evaluation of today’s meeting, adding that the feedback will serve to ensure efficiency and enhance Council members’ participation at these meetings.
16.1 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.

17. Motion of Adjournment

There being no further business, at 3:30 p.m., a motion to adjourn the meeting was moved and seconded. The motion CARRIED.

Sarah MacDougall         Laura Weyland
Council & Committee Liaison  President
COUNCIL BRIEFING NOTE
MEETING DATE: DECEMBER 2019

FOR DECISION X FOR INFORMATION

INITIATED BY: Executive Committee

TOPIC: Proposed By-law No. 6

ISSUE: Approval of new By-laws for the Ontario College of Pharmacists

PUBLIC INTEREST RATIONALE: Governance best practice supports a small governing Board comprised of an equal number of public and professional members, with members collectively possessing a range of governance competencies. The proposed by-laws will allow the College and its Board of Directors to move toward best practice with the goal of strengthening the ability of the Board to provide oversight that is transparently aligned with the mandate of the College to serve and protect the public interest.

BACKGROUND: For several years the College and its colleagues in both health and non-health professional regulation in Ontario have been monitoring changes in regulatory governance models across the country and internationally. The AGRE Colleges have been in communication with the Ministry of Health to express support for adopting recognized best practices and the legislative amendments required to fully enable those changes to take place.

Recognizing that the legislative language in *The Pharmacy Act, 1991* provides some flexibility not available to other colleges, a framework to move forward with the primary elements of good governance was considered and approved by Council in December 2018. The intention of that framework was further elaborated at the June and September 2019 meetings. In order for the framework to be operationalized, by-laws have been drafted for consideration by Council. The by-laws will be circulated for feedback and brought back for ratification by Council in March to enable the revised election and appointment process to be undertaken throughout the spring and summer, with the new Board of Directors to be in place for the start of the 2020/2021 Board year.

ANALYSIS: The main principles that underpin the changes to the by-laws are:

**Reduction in Board size** – In September 2020 the College Board of Directors will be comprised of nine Elected Directors (two of which are Pharmacy Technicians) who are also Registrants, nine Public Directors appointed by the Lieutenant Governor in Council (LGIC) and the two Deans of Pharmacy from the Universities of Toronto and Waterloo respectively. This will bring the total number of Directors to 20, down from 28.

**Board Composition** – Registrant candidates seeking election to the Board of Directors will be screened based on the patient populations served to allow for diverse perspectives of the needs and issues of the patients of Ontario. This replaces the former geographical electoral district framework and clearly aligns with the College’s public service mandate.

**Separation of Board and Statutory Committees** – As much as it is permitted by statute, the Board of Directors will not serve on Statutory Committees. As full separation will require
changes to the *Regulated Health Professions Act, 1991*, Elected Directors will only serve on the Discipline Committee and Public Directors will continue to serve on a number of statutory committees. The College will recruit Lay Committee Appointees to represent the public voice on committees that do not require Public Directors or to supplement those that do.

**Competency-based Board** - Candidates seeking election to the Board of Directors will be screened using established and published competency criteria based on their eligibility, skills, knowledge and experience.

**Nomenclature:** Council will be known as the Board of Directors and the President and Vice President will be known as Chair and Vice Chair to better reflect the fundamental role of the positions. College Members will be known as Registrants to better reflect the relationship with the College and acknowledge the responsibility of the College to those it regulates and protects.

**Changes to the Standing Committees:** The Board of Directors will have two new committees replacing the Elections and Nominating Committees. The Screening Committee will independently screen those applying for the Board elections and Committee appointments and the Governance Committee will determine the recruitment strategy, qualify those who may run for election and prepare the committee appointment slate for Board approval.

**Honorarium:** Elected Director and Committee Appointee remuneration will be approved via Council/Board Resolution.

**Fees:** The College fees will be prescribed in schedules to the By-laws and will have cost of living adjustments linked to the consumer price index starting annually on January 1st each year commencing 2021.

**NEXT STEPS:**

- Following public consultation, the final version of the by-laws, and supporting resolutions for fees and remuneration, will be ratified by Council in March 2020.

**RECOMMENDATION:** That Council approve the circulation of College By-Law No. 6 for consultation.
ONTARIO COLLEGE OF PHARMACISTS – BY-LAW NO. 6

A by-law relating generally to the conduct of the affairs of the Ontario College of Pharmacists
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Article</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>INTERPRETATION</td>
<td>1</td>
</tr>
<tr>
<td>1.1</td>
<td>Definitions</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>CLASSES OF REGISTRATION</td>
<td>4</td>
</tr>
<tr>
<td>2.1</td>
<td>Prescribed Classes of Registration</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>PROFESSIONAL LIABILITY INSURANCE</td>
<td>4</td>
</tr>
<tr>
<td>3.1</td>
<td>Insurance Requirements for a Certificate of Registration</td>
<td>4</td>
</tr>
<tr>
<td>3.2</td>
<td>Evidence of Insurance</td>
<td>4</td>
</tr>
<tr>
<td>4</td>
<td>RESTRICTION ON DIRECTORS AND COMMITTEE MEMBERS</td>
<td>5</td>
</tr>
<tr>
<td>4.1</td>
<td>Restriction on Directors</td>
<td>5</td>
</tr>
<tr>
<td>4.2</td>
<td>Restriction on Committee Members</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>ELECTION OF DIRECTORS</td>
<td>5</td>
</tr>
<tr>
<td>5.1</td>
<td>Number of Elected Directors</td>
<td>5</td>
</tr>
<tr>
<td>5.2</td>
<td>Voting Eligibility</td>
<td>5</td>
</tr>
<tr>
<td>5.3</td>
<td>Renewal of the Board - August 2020</td>
<td>5</td>
</tr>
<tr>
<td>5.4</td>
<td>Election Date</td>
<td>6</td>
</tr>
<tr>
<td>5.5</td>
<td>Terms of Office - August 2020</td>
<td>6</td>
</tr>
<tr>
<td>5.6</td>
<td>Terms of Office - After August 2020</td>
<td>6</td>
</tr>
<tr>
<td>5.7</td>
<td>Eligibility for Election</td>
<td>7</td>
</tr>
<tr>
<td>5.8</td>
<td>Notice of Election and Call for Applicants</td>
<td>8</td>
</tr>
<tr>
<td>5.9</td>
<td>Director Competencies</td>
<td>8</td>
</tr>
<tr>
<td>5.10</td>
<td>Application Procedure</td>
<td>9</td>
</tr>
<tr>
<td>5.11</td>
<td>Acclamation</td>
<td>10</td>
</tr>
<tr>
<td>5.12</td>
<td>Registrar’s Electoral Duties</td>
<td>11</td>
</tr>
<tr>
<td>5.13</td>
<td>Scrutineers</td>
<td>11</td>
</tr>
<tr>
<td>5.14</td>
<td>Ballots</td>
<td>12</td>
</tr>
<tr>
<td>5.15</td>
<td>Voting</td>
<td>12</td>
</tr>
<tr>
<td>5.16</td>
<td>Number of Votes to be Cast</td>
<td>13</td>
</tr>
<tr>
<td>5.17</td>
<td>Tie Votes</td>
<td>13</td>
</tr>
<tr>
<td>5.18</td>
<td>Interruption of Service</td>
<td>13</td>
</tr>
<tr>
<td>5.19</td>
<td>Conduct of Directors</td>
<td>13</td>
</tr>
<tr>
<td>5.20</td>
<td>Filling of Vacancies</td>
<td>16</td>
</tr>
<tr>
<td>5.21</td>
<td>Supplementary Election Procedures</td>
<td>17</td>
</tr>
</tbody>
</table>
Article 6 BOARD MEETINGS

6.1 Meetings of the Board.

6.2 Meetings Held By Technological Means.

Article 7 REMUNERATION AND EXPENSES

7.1 Remuneration and Expenses.

Article 8 COMMITTEES OF THE COLLEGE

8.1 Statutory Committees under the Act.

8.2 Statutory Committee under the Pharmacy Act.

8.3 Standing Committees.

8.4 Appointment of Special Committees.

8.5 Reporting of Committees.

Article 9 COMPOSITION AND DUTIES OF STATUTORY AND STANDING COMMITTEES

9.1 Article Subject to RHPA Regulations.

9.2 Composition of the Executive Committee.

9.3 Chair of the Executive Committee.

9.4 Duties of the Executive Committee.

9.5 Composition of the Registration Committee.

9.6 Duties of the Registration Committee.

9.7 Composition of the Inquiries, Complaints and Reports Committee.

9.8 Duties of the Inquiries, Complaints and Reports Committee.

9.9 Composition of the Discipline Committee.

9.10 Duties of the Discipline Committee.

9.11 Composition of the Fitness to Practise Committee.

9.12 Duties of the Fitness to Practise Committee.

9.13 Composition of the Quality Assurance Committee.

9.14 Duties of the Quality Assurance Committee.

9.15 Composition of the Patient Relations Committee.

9.16 Duties of the Patient Relations Committee.

9.17 Composition of the Accreditation Committee.

9.18 Duties of the Accreditation Committee.

9.19 Composition of the Finance and Audit Committee.

9.20 Duties of the Finance and Audit Committee.

9.21 Composition of the Screening Committee.

9.22 Duties of the Screening Committee.
9.23 Composition of the Governance Committee. ............................................................. 27
9.24 Duties of the Governance Committee. ................................................................. 28
9.25 Composition of the Drug Preparation Premises Committee. ............................. 28
9.26 Duties of the Drug Preparation Premises Committee........................................ 29

Article 10 DUTIES OF OFFICERS .................................................................................... 29
10.1 Duties of the Chair and the Vice-Chair. ................................................................. 29

Article 11 COMMITTEE APPOINTEES ............................................................................. 29
11.1 Professional Committee Appointments. ............................................................... 29
11.2 Lay Committee Appointees .................................................................................. 31

Article 12 ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE ..................... 32
12.1 Election of the Chair, Vice-Chair and Executive Committee. .............................. 32

Article 13 APPOINTMENTS TO COMMITTEES ................................................................ 33
13.1 Appointments to Statutory and Standing Committees. ....................................... 33
13.2 Appointment of Screening Committee. ............................................................... 33
13.3 Committee Chairs ............................................................................................... 34

Article 14 COMMITTEE PROCEDURES ......................................................................... 34
14.1 Disqualification, Vacancies and Term Limits of Committee Members. .............. 34
14.2 Quorum. ................................................................................................................ 35
14.3 Voting. ................................................................................................................... 35
14.4 Committee Vacancies. ......................................................................................... 36

Article 15 BUSINESS OF THE COLLEGE ..................................................................... 36
15.1 Seal. ...................................................................................................................... 36
15.2 Execution of Documents. ..................................................................................... 36
15.3 Banking and Finance. .......................................................................................... 36
15.4 Financial Year and Audit. .................................................................................... 37
15.5 Inspectors ............................................................................................................ 37
15.6 Inspectors for the Purposes of Inspecting Drug Preparation Premises. .......... 37
15.7 Grants .................................................................................................................. 37
15.8 Funds. .................................................................................................................. 38
15.9 College Membership. .......................................................................................... 38
15.10 Delegation of Powers and Duties. ..................................................................... 38

Article 16 THE REGISTER .............................................................................................. 38
16.1 Registrant’s Name. ............................................................................................... 38
16.2 Business Address and Telephone Number. ....................................................... 39
16.3 Information Regarding a Result. ........................................................................ 39
16.4 Publication Ban........................................................................................................... 39
16.5 Disclosure of Information............................................................................................ 40
16.6 Information to be kept in Register by the Code - Registrants ................................... 40
16.7 Information to be kept in Register by RHPA Regulations - Registrants ............... 41
16.8 Additional Information to be kept in Register - Registrants ..................................... 43
16.9 Former Registrants .................................................................................................... 48
16.10 Information to be kept in Register – Drug Preparation Premises ............................. 48
16.11 Information to Be Kept in Register – Health Profession Corporations ...................... 48
16.12 Information to be Kept in Register - Pharmacies ................................................... 49
16.13 Deletion of Information .......................................................................................... 51
16.14 Disclosure .............................................................................................................. 52

Article 17 FILING OF INFORMATION BY REGISTRANTS, PHARMACIES AND HEALTH PROFESSION CORPORATIONS ........................................................................................................... 53
17.1 Filing of Information by Registrants ......................................................................... 53
17.2 Filing of Information by Applicants for a Certificate of Accreditation .................... 54
17.3 Filing of Information by Pharmacies ......................................................................... 55
17.4 Filing of Information for Closing Pharmacies ........................................................... 56
17.5 Filing of Information by Health Profession Corporations ......................................... 56

Article 18 CHANGE OF CONTROL .................................................................................. 57
18.1 Change of Control ..................................................................................................... 57

Article 19 REGISTRANT FEES .......................................................................................... 58
19.1 Application and Issuance Fees ................................................................................... 58
19.2 Examination Fee ........................................................................................................ 58
19.3 Annual Fees .............................................................................................................. 58
19.4 Fee to Lift Suspension or for Reinstatement ............................................................. 58
19.5 Other Fees ................................................................................................................ 59

Article 20 PHARMACY TRANSACTION FEES .................................................................. 60
20.1 Application Fee ........................................................................................................... 60
20.2 Issuance Fee ............................................................................................................... 60
20.3 Fee for Amended Certificates - Remote Dispensing Locations ............................... 60
20.4 Renewal Fee .............................................................................................................. 61
20.5 Additional Renewal Fee ............................................................................................ 61

Article 21 CERTIFICATE OF AUTHORIZATION FEES ..................................................... 61
21.1 Application Fee ........................................................................................................... 61
21.2 Renewal Fee .............................................................................................................. 61
BE IT ENACTED as a by-law of the ONTARIO COLLEGE OF PHARMACISTS as follows:

ARTICLE 1
INTERPRETATION

1.1 Definitions.

In this By-Law, and in all other By-Laws and resolutions of the College, unless the context otherwise requires:


1.1.2 “Board” means the board of directors of the College. For the purposes of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, the Board means the Council of the College;

1.1.3 “By-Law” or “By-Laws” means the By-Laws of the College, as the same may be amended from time to time;

1.1.4 “Certificate of Accreditation” means a certificate of accreditation issued to a pharmacy by the Registrar pursuant to the Drug and Pharmacies Regulation Act;

1.1.5 “Certificate of Authorization” means a certificate of authorization issued to a health profession corporation by the College;

1.1.6 “Certificate of Registration” means a certificate of registration issued to a Registrant by the Registrar pursuant to the Code;

1.1.7 “Chair” means the chair of the Board and for the purpose of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, means the President of the College, and “chair” means the chair of a Committee or the person presiding at a meeting of the Board, as the context requires;

1.1.8 “Change of Control” has the meaning given to it in subparagraph 18.1.2;

1.1.9 “Code” means the Health Professions Procedural Code, being Schedule 2 to the Act;

1.1.10 “Code of Conduct” means the Code of Conduct and Procedures for Directors and Committee Members which is set out in Schedule B to this By-Law, as the same may be amended from time to time;
1.1.11 “Code of Ethics” means the Code of Ethics which is set out in Schedule A to this By-Law, as the same may be amended from time to time;

1.1.12 “College” means the Ontario College of Pharmacists;

1.1.13 “Committee” or “Committees” means a committee or committees of the College, whether a statutory committee or a standing or special committee;

1.1.14 “Contact Person” means the person designated as the contact person for a hospital pharmacy or institutional pharmacy pursuant to section 146.1 of the Drug and Pharmacies Regulation Act;

1.1.15 “Deputy Registrar” means the person who, from time to time, holds the title of Deputy Registrar of the College;

1.1.16 “Designated Manager” means the manager designated by the Owner of a pharmacy as required by section 146(1)(b) of the Drug and Pharmacies Regulation Act;

1.1.17 “Director” means a person elected or appointed to be a member of the Board;

1.1.18 “Director Profile” means the combination of patient populations served as set out in subparagraph 5.9.1, and knowledge, skills and experience as set out in subparagraph 5.9.2, that will be required of applicants who seek to be qualified as candidates for election to the Board, as determined by the Governance Committee;


1.1.20 “Drug and Pharmacies Regulation Act Regulations” means the regulations made under the Drug and Pharmacies Regulation Act;

1.1.21 “Drug Preparation Premises” means drug preparation premises as defined in the Pharmacy Act Regulations;

1.1.22 “Elected Director” means a Director elected to the Board in accordance with this By-Law;

1.1.23 “Former Registrant” has the meaning given to it in subparagraph 16.9.1;

1.1.24 “Health Profession Corporation” means a corporation incorporated under the Business Corporations Act (Ontario) that holds a Certificate of Accreditation;

1.1.25 “Lay Committee Appointee” means an individual appointed under this By-Law to serve as a member of a Committee who is neither a Director nor a Registrant;
1.1.26 “Narcotic Signer” means a pharmacist who is designated by a pharmacy to be authorized to sign the documentation required under the Controlled Drug and Substances Act (Canada) or the regulations thereunder in order to obtain narcotics for the pharmacy;

1.1.27 “Owner” means an “owner” as defined in the Drug and Pharmacies Regulation Act Regulations;

1.1.28 “Pharmacy Act” means the Pharmacy Act, 1991, S.O. 1991, c.36;

1.1.29 “Pharmacy Act Regulations” means the regulations made under the Pharmacy Act;

1.1.30 “Professional Advocacy Association” means an organization whose principal mandate is to represent the interests of and advocate on behalf of pharmacies (community and hospital), pharmacists or pharmacy technicians, or a segment of them, including those registered in or practising in Canada. Examples of a Professional Advocacy Association include the Ontario Pharmacists Association, the Canadian Pharmacists Association, the Canadian Association of Pharmacy Technicians and Neighbourhood Pharmacy Association of Canada;

1.1.31 “Professional Committee Appointee” means a Registrant who is not a Director, who is appointed under this By-Law to serve as a member of a Committee;


1.1.33 “Public Director” means a Director appointed to the Board by the Lieutenant Governor-in-Council;

1.1.34 “Register” means the register required to be kept pursuant to the Code;

1.1.35 “Registrant” means a member of the College;

1.1.36 “Registrar” means the person who, from time to time, holds the title of Registrar and Chief Executive Officer of the College;

1.1.37 “RHPA Regulations” means the regulations made under the Act;

1.1.38 “Statutory Committees” means the Committees listed in section 10 of the Code as of the date of enactment of this By-Law, and the Accreditation Committee as required under the Pharmacy Act; and

1.1.39 “Vice-Chair” means the vice-chair of the Board and for the purpose of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, means the Vice-President of the College.
1.2 Amendments.

Whenever reference is made in a By-Law to any statute or regulation, such reference shall be deemed to include any amendment to such statute or regulation as may be made from time to time.

ARTICLE 2
CLASSES OF REGISTRATION

2.1 Prescribed Classes of Registration.

Effective upon Schedule 1 (Drug and Pharmacy Regulations Act) of the Protecting Patients Act being proclaimed into force, all references in this By-Law to “registered pharmacy student” will be deemed to be deleted and replaced with “intern technician”.

ARTICLE 3
PROFESSIONAL LIABILITY INSURANCE

3.1 Insurance Requirements for a Certificate of Registration.

A Registrant who holds a Certificate of Registration as a pharmacy technician, registered pharmacy student, intern or pharmacist listed in Part A of the Register, must maintain personal professional liability insurance as follows:

3.1.1 Limit of Liability. The policy of insurance must contain limits of a minimum of $2,000,000 per claim or per occurrence and $4,000,000 in the annual aggregate.

3.1.2 Definition of Insured Services. The definition of Insured Services under the policy must include all professional services in the practice of pharmacy as regulated by the College.

3.1.3 Retroactive Date. The policy must not contain a retroactive date and must provide for full prior acts protection.

3.1.4 Extended Reporting Period (ERP). If the policy is a “claims made” policy, it must contain an extended reporting period provision for a minimum of three (3) years.

3.1.5 Personal Professional Liability Insurance Coverage. The policy must be issued in the name of the individual Registrant and provide that Registrant with mobility and coverage wherever in Ontario that Registrant practises.

3.1.6 Legal Defence Payments. Legal defence payments for regulatory proceedings or other legal proceedings potentially afforded by a personal professional liability policy must not erode the minimum limits of liability under the policy.

3.2 Evidence of Insurance.
A Registrant shall, upon the request of the Registrar, provide proof satisfactory to the Registrar of professional liability insurance in the required amounts and form, and a copy of the Registrant’s professional liability insurance policy.

ARTICLE 4
RESTRICTION ON DIRECTORS AND COMMITTEE MEMBERS

4.1 Restriction on Directors.

A Director shall not be an employee of the College.

4.2 Restriction on Committee Members.

A member of a Committee shall not be an employee of the College.

ARTICLE 5
ELECTION OF DIRECTORS

5.1 Number of Elected Directors.

5.1.1 Subject to subparagraph 5.1.2, there shall be nine (9) Elected Directors, of whom two (2) shall be pharmacy technicians.

5.1.2 In the event that the number of Public Directors exceeds nine (9), the Board may increase the number of Elected Directors to be elected at the next annual August election to correspond to the number of Public Directors. Any such additional Elected Directors shall be pharmacists.

5.1.3 If the number of Public Directors is subsequently reduced, the Board may reduce the number of Elected Directors to be elected at the next annual August election to equal the number of Public Directors then-appointed.

5.2 Voting Eligibility.

Every Registrant who holds a valid Certificate of Registration as a pharmacist or a pharmacy technician, who practises or resides in Ontario, and who is not in default of payment of the annual fee, is entitled to vote in an election of Directors.

5.3 Renewal of the Board - August 2020.

5.3.1 Subject to subparagraph 5.3.2, the terms of office of all Elected Directors who are members of the Council as of the date that this By-Law comes into effect (the “Incumbent Elected Directors”) will end on the date of the first meeting of the Board held after the election in August 2020, and seven (7) Elected Directors shall be elected to the Board in accordance with this By-Law at the election in August 2020 for the terms of office set out in paragraph 5.5.
5.3.2 Notwithstanding subparagraph 5.3.1, the Board shall select two (2) Incumbent Elected Directors who sit on the Executive Committee as of the date that this By-Law comes into effect, who will have their terms of office continue for one (1) year and two (2) years, respectively, following the August 2020 election.

5.4 Election Date.

5.4.1 An election of Elected Directors will be held on the first Wednesday in August of every year beginning in 2020, for the number of positions on the Board that are then available.

5.5 Terms of Office - August 2020.

The terms of office of the seven (7) Elected Directors elected in August 2020 will commence at the first meeting of the Board following the election and end, subject to paragraph 5.11, as follows:

5.5.1 the two (2) pharmacists who receive the highest number of votes out of all pharmacist candidates will be elected for a three (3)-year term;

5.5.2 the pharmacy technician who receives the highest number of votes out of all pharmacy technician candidates will be elected for a three (3)-year term;

5.5.3 the pharmacy technician who receives the second highest number of votes of all pharmacy technician candidates will be elected for a two (2)-year term;

5.5.4 the pharmacist who receives the third highest number of votes out of all pharmacist candidates will be elected for a two (2)-year term;

5.5.5 the two (2) pharmacists who receive the fourth and fifth highest number of votes out of all pharmacist candidates will each be elected for a one-(1)-year term; and

5.5.6 if there is tie among candidates and it is necessary to break the tie to determine who will receive the longer term between the candidates, the Registrar shall break the tie, by lot.

5.6 Terms of Office - After August 2020.

5.6.1 The term of office of an Elected Director who is elected in each annual election beginning with the August 2021 election will be three (3) years, commencing at the first meeting of the Board after the election.

5.6.2 No Elected Director who is first elected in the August 2020 election may serve as a Director for more than six (6) consecutive years.
5.6.3 No Director who is a member of Council on the date this By-Law comes into effect may serve for more than nine (9) consecutive years (inclusive of years of service prior to the date this By-Law comes into effect).

5.6.4 If an Elected Director reaches the end of his or her maximum service prior to the end of his or her term, the Elected Director will cease to hold office and his or her position on the Board will be filled by way of a by-election in accordance with paragraph 5.20.

5.7 Eligibility for Election.

5.7.1 A Registrant who holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician is eligible to seek to be a candidate for election to the Board if he or she meets the following requirements:

(a) the Registrant is not in default of payment of any fees prescribed in the By-Laws;

(b) the Registrant is not the subject of any disciplinary or incapacity proceeding;

(c) depending on the seriousness of the nature of the concern, the Registrant has been the subject of no more than two (2) Inquiries, Complaints and Reports Committee dispositions that have resulted in a posting to the public register;

[Note: This requirement was proposed in the briefing note and approved by Council. This new requirement has not been included in the draft By-Law.]

(d) the Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee.

(e) the Registrant is not a registered pharmacy student or intern;

(f) the Registrant’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;

(g) the Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association. For greater certainty, nothing in this clause will prevent a Registrant who serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from running for election to be an Elected Director;
(g) the Registrant has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the election;

(h) where the Registrant was formerly a Director, but is not as of the date of the election a Director, it has been at least three (3) years since he or she was a Director;

(i) the Registrant is not an adverse party in litigation against the College, the Board, a Committee or any of the College’s officers, employees or agents;

(j) the Registrant commits to devoting sufficient time in his or her schedule to participating in all required Board and Committee activities;

(k) the Registrant has not, in the opinion of the Screening Committee, engaged in conduct unbecoming a Director; and

(l) the Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the election, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection.

5.8 Notice of Election and Call for Applicants.

5.8.1 No later than April 1 in the year in which the election is to be held the Registrar shall notify each Registrant who is eligible to vote of the date of the election and the number of available positions on the Board. Such notification shall be by electronic mail, shall include a link to the Director Profile and application form for election and shall be addressed to each Registrant at his or her electronic address that is on file with the College. Such notice shall also be published on the website of the College.

5.9 Director Competencies.

5.9.1 The Board shall at all times comprise Elected Directors who collectively serve, or have experience working with, the following diverse patient populations:

(a) patients served by rural community pharmacies;

(b) patients served by urban community pharmacies;

(c) patients treated at teaching hospitals;

(d) patients treated at community hospitals;
(e) patients located in northern/remote areas;
(f) patients who identify as Indigenous;
(g) patients with mental health and addictions needs; and
(h) patients in long-term care.

5.9.2 The Board shall in addition at all times comprise Directors who collectively have the following knowledge, skills and experience:

(a) experience in and understanding of the principles of protecting, and acting in, the public interest;
(b) experience working with diverse populations, marginalized groups and people with disabilities;
(c) experience serving on boards in an oversight capacity;
(d) experience in managing risk, including reputational risk;
(e) experience in senior leadership roles in business;
(f) experience as a human resource professional including in occupational health and safety, organizational structures and human resources oversight and compensation, recruiting and succession planning;
(g) financial and/or accounting expertise, including experience preparing, auditing, analyzing or evaluating financial statements and an understanding of generally accepted accounting principles;
(h) ability to navigate electronic systems to access Board and Committee materials;
(i) legal experience or familiarity with regulated professions, including overseeing regulations and setting standards for certification; and
(j) experience participating in, or leading, an organization in planning for its future, such as: conducting S.W.O.T. (strengths, weaknesses, opportunities, and threats) analysis, environmental scans, strategy design, planning, implementation and evaluation.

5.10 Application Procedure.

5.10.1 A Registrant seeking to be a candidate for election as an Elected Director shall complete and return an application form no later than the deadline provided in the form. The application form shall be accompanied by three
(3) reference letters in accordance with the instructions contained in the application form.

5.10.2 The application form shall include a signed affirmation by the applicant of his or her commitment to participate in pre-orientation activities aimed at understanding the obligations of a Director.

5.10.3 The Screening Committee shall review the applications against the eligibility requirements as set out in paragraph 5.7 and the Director Profile that the Governance Committee has announced for the election. Applicants who (a) meet the eligibility requirements in paragraph 5.7, and (b) serve or have experience with patient populations, and have knowledge, skill and experience, that are within the Director Profile, will be qualified as candidates for election.

5.10.4 If the Screening Committee requires additional information in order to assess whether an applicant meets the criteria in the Director Profile, the Screening Committee may require the applicant to participate in an interview in person or by electronic means.

5.10.5 An applicant may withdraw his or her application by notice of withdrawal delivered to the Registrar no later than July 1 in the year in which the election is to be held.

5.10.6 All applicants who have not withdrawn their application will be notified whether they are eligible and have been qualified as candidates for election.

5.10.7 In the event of a dispute about whether a Registrant is eligible or qualified as a candidate for election, the Governance Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. The Executive Committee shall rule and inform the candidate of its decision and reasons.

5.10.8 A person who has a direct interest in the result of an election dispute shall not participate in the investigation or consideration of such dispute.

5.11 Acclamation.

5.11.1 If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacy technicians qualified as candidates for election is equal to the number of pharmacy technicians to be elected in that election, the Registrar shall declare those pharmacy technician candidate(s) to be elected by acclamation.

5.11.2 If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacists qualified as candidates for election is equal to the number of pharmacists to be elected in that election, the Registrar shall declare those pharmacist candidate(s) to be elected by acclamation.
5.11.3 If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacy technicians qualified as candidates for election is less than the number of pharmacy technicians to be elected in that election, the Registrar shall declare the qualified pharmacy technician candidate(s) to be elected by acclamation and there will be a supplementary application, selection and election process held in accordance with paragraph 5.21 in order to fill any remaining vacancies.

5.11.4 If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacists qualified as candidates for election is less than the number of pharmacists to be elected in that election, the Registrar shall declare the qualified pharmacist candidate(s) to be elected by acclamation and there will be a supplementary application, selection and election process held in accordance with paragraph 5.21 in order to fill any remaining vacancies.

5.11.5 In the event of acclamation pursuant to this paragraph 5.11 in an election in which candidates will be elected to terms of varying lengths, the Registrar shall determine by lot which successful candidate will serve for which length of term. However, if subparagraph 5.11.3 or 5.11.4 is applicable, the candidate(s) elected by acclamation will serve the longer of the available terms.

5.12 Registrar’s Electoral Duties.

5.12.1 The Registrar shall supervise and administer the election of candidates and for the purpose of carrying out that duty, the Registrar shall:

(a) appoint returning officers or scrutineers;

(b) establish a deadline for the receipt of ballots;

(c) establish reasonable safeguards to ensure that the person voting is entitled to vote;

(d) ensure electronic communication and voting processes are reliable and secure;

(e) establish procedures for the counting and verification of ballots; and

(f) provide for the notification of all candidates and Registrants of the results of the election.

5.12.2 No later than twenty-one (21) days before the date of an election, the Registrar shall provide to every Registrant eligible to vote a list of the candidates, secure access to a ballot, and an explanation of the voting procedures as set out in this By-Law.

5.13 Scrutineers.
5.13.1 The Board shall, at the last regular Board meeting before an election, appoint two (2) or more persons to serve as scrutineers for the election.

5.13.2 The scrutineers will be reimbursed for their expenses as provided in Article 7 in accordance with a policy made by a resolution of the Board.

5.13.3 If a scrutineer is unable or unwilling to act, the Chair shall appoint a person as a replacement scrutineer.

5.14 Ballots.

5.14.1 The names of the candidates who have not withdrawn their candidacies by the deadline for so doing will appear on the ballot.

5.14.2 The Registrar shall prepare a list of the voting Registrants.

5.14.3 A Registrant who is eligible to vote and who does not receive, or loses, his or her secure access to a ballot may apply to the Registrar for replacement secure access to a ballot and the Registrar shall provide the Registrant with a replacement.

5.15 Voting.

5.15.1 A ballot shall clearly indicate the candidates of the voting Registrant’s choice and shall be submitted so that it is received not later than 5:00 p.m. on the day of the election.

5.15.2 The scrutineers shall ascertain that each voting Registrant is eligible to vote according to the list prepared by the Registrar.

5.15.3 The scrutineers shall verify the votes at the head office of the College on the day following the election.

5.15.4 The verification of the votes by the scrutineers shall be conducted in such a manner that no person will know for whom any voting Registrant has voted.

5.15.5 The only persons permitted to be present during the verification will be the scrutineers, the Registrar, such staff of the College as the Registrar authorizes, and the candidates. A candidate may appoint one (1) person to represent the candidate at the verification.

5.15.6 If the scrutineers cannot agree on any matter relating to the verification, the matter shall be decided by the Registrar.

5.15.7 Upon completing the verification, the scrutineers shall prepare a return and file the return with the Registrar.

5.15.8 The successful pharmacist candidates in an election will be those with the highest and next highest number of votes and so on until the number of
successful pharmacist candidates equals the number of pharmacists to be elected in that election.

5.15.9 The successful pharmacy technician candidate in an election where one pharmacy technician is to be elected will be the one with the highest number of votes. If more than one (1) pharmacy technician is to be elected in an election, the successful pharmacy technician candidates will be those with the highest and next highest number of votes until all positions are filled.

5.15.10 Upon receiving the returns from the scrutineers, the Registrar shall declare the pharmacists who were successful in accordance with subparagraph 5.15.8 to be elected as Elected Directors and shall declare that the pharmacy technician or technicians who were successful in accordance with subparagraph 5.15.9 to be elected as Elected Director(s), and shall notify each candidate of the election results.

5.16 Number of Votes to be Cast.

5.16.1 In the election to be held in August 2020, each Registrant may vote for up to five (5) pharmacist candidates and up to two (2) pharmacy technician candidates.

5.16.2 In each annual election beginning in August 2021, each Registrant may vote for up to the number of pharmacy technician candidates as there are pharmacy technician vacancies on the Board and for up to the number of pharmacist candidates as there are pharmacist vacancies on the Board.

5.17 Tie Votes.

5.17.1 If there is a tie in an election of Elected Directors and it is necessary to break the tie to determine who will be the successful candidate, the Registrar shall break the tie, by lot, and then declare the candidate elected.

5.18 Interruption of Service.

5.18.1 Where there is an interruption of mail or electronic service during the application period or election, the Registrar shall extend the deadline for applications and the holding of the election for such period of time as the Registrar considers necessary to compensate for the interruption.

5.19 Conduct of Directors.

5.19.1 An Elected Director is automatically disqualified from sitting on the Board if the Elected Director:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or
(b) is found to be an incapacitated Registrant by a panel of the Fitness to Practise Committee.

5.19.2 Formal governance action may be taken against a Director, in accordance with subparagraphs 5.19.3, where the Director:

(a) fails, or does not make himself or herself available, without cause, to attend three (3) consecutive meetings of the Board;

(b) fails, or does not make himself or herself available, without cause, to attend three (3) consecutive meetings of a Committee of which he or she is a member, or fails without cause to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;

(c) fails, or does not make himself or herself available, without cause, to attend Director education and evaluation activities hosted by the College from time to time;

(d) is in default of payment of any fees prescribed in the By-Laws;

(e) is or becomes an employee, officer or director of a Professional Advocacy Association (however, for greater certainty, a Director shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Board as a representative of the College);

(f) in the case of a dean of a faculty of pharmacy who is a Registrant,

   (i) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

   (ii) is found to be an incapacitated Registrant by a panel of the Fitness to Practise Committee;

(g) initiates litigation against the College, the Board, a Committee or any of the College’s officers, employees or agents; or

(h) engages in conduct or an omission that is reasonably regarded by the Board as being disgraceful, dishonourable, unprofessional or unbecoming a Director.

5.19.3 In the event of a concern or complaint regarding the conduct of a Director, the following procedure shall be followed:

(a) the person raising the concern or complaint shall report it to any of the Past-Chair, the Chair, the Registrar or the Vice-Chair who shall bring the concern or complaint to the Governance Committee.
concern or complaint will also be disclosed to the Director in question;

(b) if the Governance Committee is unable to address the concern or complaint, the Executive Committee may appoint another Committee to fulfill the Governance Committee’s duties under subparagraph 5.19.3 or perform such duties itself;

(c) if the Governance Committee or other Committee, after any inquiry it deems appropriate, concludes that the concern or complaint warrants formal investigation, it shall appoint an independent third party, such as a retired Judge or a senior lawyer who does not otherwise act for the College, to conduct the investigation. In addition to any other investigative steps, the independent third party shall notify the Director of his or her right to retain a lawyer and shall provide an opportunity for the Director to respond to the concern or complaint;

(d) as soon as feasible, the independent third party shall report the results of the investigation in writing to the Governance Committee or other Committee and to the Director. The report shall include the independent third party’s findings of fact and his or her opinion as to whether grounds for taking formal governance action against the Director set out in subparagraph 5.19.2 have been met and, if so, the apparent significance of the breach;

(e) if the Governance Committee or other Committee determines that formal governance action is warranted it shall be placed on the agenda of the next regular Board meeting unless a special meeting is called before then to address the matter. Participation in the investigation and referral process does not render the members of the Governance Committee or other Committee ineligible to participate and vote on the matter at the Board;

(f) before the Board decides whether to take formal governance action, the Director shall be afforded an opportunity to address the Board for a period of no less than one (1) hour. The Director shall not take part in the deliberation or vote;

(g) the Board shall determine whether grounds for taking formal governance action against the Director set out in subparagraph 5.19.2 have been met and, if so, whether the breach warrants the imposition of a governance sanction;

(h) the determination that grounds for taking formal governance action against the Director set out in subparagraph 5.19.2 have been met and the determination to impose a formal governance sanction pursuant to subparagraph 5.19.4 must be approved by a vote of at
least two-thirds of the Directors eligible to vote. The vote will be a recorded vote; and

(i) where the Board determines that grounds for taking formal governance action against the Director set out in subparagraph 5.19.2 have not been met and that formal governance action is not warranted, the Board may direct the College to reimburse the Director for all or part of the Director’s legal expenses.

5.19.4 The formal governance sanction imposed by the Board under subparagraph 5.19.3(g) may include one or more of the following:

(i) censure of the Director verbally or in writing;

(ii) disqualification of an Elected Director from the Board;

(iii) where the Director is a Public Director, sending a copy of the independent third party’s report and the Board’s determination to the Ministry of Health; or

(iv) where the Director is a dean of a faculty of pharmacy, sending a copy of the independent third party’s report and the Board’s determination to the applicable Ontario university.

5.19.5 An Elected Director who is disqualified from sitting on the Board is thereby removed from the Board and ceases to be a Director.

5.20 Filling of Vacancies.

5.20.1 Upon the proclamation of section 30 of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this paragraph 5.20 will be subject to any provisions of the RHPA Regulations respecting the filling of vacancies arising on the Board.

5.20.2 If the position of an Elected Director becomes vacant not more than twelve (12) months before the expiry of the term of office of that Elected Director, the Board may:

(a) leave the position vacant, if the number of Elected Directors remaining on the Board is nine (9) or more;

(b) declare the eligible Registrant with the next highest number of votes in the election immediately prior to the vacancy who was not elected to be acclaimed to the vacant position; or
(c) direct the Registrar to hold a by-election in accordance with this By-Law for an Elected Director who meets the criteria of the Director Profile for the election immediately prior to the vacancy, except if the by-election is held at the same time as an annual election, in which case the Director Profile developed for that annual election will apply.

5.20.3 If the position of an Elected Director becomes vacant more than twelve (12) months before the expiry of the term of office of that Elected Director, the Board shall:

(a) declare the eligible Registrant with the next highest number of votes in the election immediately prior to the vacancy who was not elected to be acclaimed to the vacant position; or

(b) direct the Registrar to hold a by-election in accordance with this By-Law for an Elected Director who meets the criteria of the Director Profile for the election immediately prior to the vacancy, except if the by-election is held at the same time as an annual election, in which case the Director Profile developed for that annual election will apply.

5.20.4 The provisions of this By-Law that apply to the conduct of elections apply to the conduct of by-elections, with all necessary modifications.

5.20.5 The term of office of an Elected Director acclaimed or elected in a by-election under subparagraph 5.20.2 or 5.20.3 will commence upon acclamation or election and continue until the term of office of the former Elected Director would have expired.

5.21 Supplementary Election Procedures.

5.21.1 If the Screening Committee fails to identify a sufficient number of applicants who are qualified as candidates for election by the deadline referred to in subparagraph 5.10.5, or if the number of eligible candidates is less than the number of Elected Directors to be elected, there shall be a supplementary election.

5.21.2 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of supplementary elections, with all necessary modifications.

5.21.3 The term of office of an Elected Director elected in a supplementary election under paragraph 5.21 will commence upon acclamation or election and continue until the end of the term of office that would have been held had an Elected Director been elected to that position on the Board in the applicable August election.
6.1 Meetings of the Board.

6.1.1 The Board shall hold at least four (4) regular meetings in the one (1)-year period following each annual August election of Elected Directors. The first regular Board meeting shall take place within ninety (90) days following the August election. The dates for the remaining regular Board meetings shall be set no later than the first regular Board meeting following the August election.

6.1.2 The Chair may call a special meeting of the Board at any time, provided that notice is given in accordance with the Pharmacy Act Regulations, the Code and this By-Law to each Director, the Registrants and the public, specifying the purpose of the meeting.

6.1.3 The College shall post on its website information regarding upcoming meetings of the Board, including:

(a) the dates of those meetings;

(b) matters to be discussed at those meetings; and

(c) information and documentation that will be provided to Directors for the purpose of those meetings, provided that information and documentation related to any meeting or part of a meeting from which the public is excluded by the Board shall not be posted; and if the Registrar anticipates that the Board will exclude the public from the meeting or part of the meeting, the grounds for doing so.

6.1.4 Subject to subparagraphs 6.1.2 and 6.1.3, notice of any special meeting of the Board shall be sufficient if provided to each Director at his or her specified email address as shown in the records of the College.

6.1.5 The Chair or, in his or her absence or failure to act, the Vice-Chair, shall call a special meeting of the Board upon the written request of two-thirds of the Directors. In the event that the Chair or Vice-Chair are both unable, or fail, to call a meeting of the Board, two-thirds of the Directors may call a meeting upon their written request delivered to the Registrar. Notice of the special meeting shall be given as set out in subparagraphs 6.1.2 to 6.1.4.

6.1.6 Meetings of the Board shall be held at the permanent office of the College, or at such other place or places as the Board may designate.

6.1.7 The quorum for the transaction of business at any meeting of the Board shall be a majority of Directors.
6.1.8 Unless specifically provided for otherwise in the By-Law, any question arising at any meeting of the Board shall be determined by a majority of votes of Directors present at the meeting and eligible to vote. In the event of a tie vote, the Chair shall break the tie with an additional vote.

6.1.9 At the regular meetings of the Board, the business shall include such matters as are set out in an agenda to be approved by the Board.

6.1.10 A Director may place any item that can properly be discussed by the Board on the Board agenda by making a notice of motion. Notices of all motions intended to be introduced shall be given in writing, seconded, and given to the Chair before being considered at a meeting of the Board on a day previous to the discussion or vote unless this requirement is dispensed with by a vote of at least two-thirds of all Directors present at the meeting and eligible to vote.

6.1.11 The Rules of Order set out in Schedule C of this By-Law apply to the conduct of Board meetings.

6.2 Meetings Held By Technological Means.

6.2.1 If two-thirds of all Directors, or of members of a Committee (as the case requires), who are eligible to vote consent thereto generally or in respect of a particular meeting, and each has adequate access, Directors or members of a Committee may participate in a meeting of, respectively, the Board or of a Committee, by means of such conference telephone or other communications facilities as permits all persons participating in the meeting to hear each other, and a Director or member of a Committee participating in such a meeting by such means is deemed to be present at the meeting.

6.2.2 At the outset of each meeting referred to in subparagraph 6.2.1, the Chair shall call roll to establish quorum and whenever votes are required. If the Chair is not satisfied that the meeting may proceed with adequate security and confidentiality, he or she shall adjourn the meeting to a predetermined date, time and place.

ARTICLE 7
REMUNERATION AND EXPENSES

7.1 Remuneration and Expenses.

When they are on official College business, Directors and Committee members, and participants in working groups and task forces, other than Public Directors, will be paid and / or reimbursed for expenses in accordance with a policy made by a resolution of the Board.
ARTICLE 8
COMMITTEES OF THE COLLEGE

8.1 Statutory Committees under the Act.

8.1.1 Pursuant to the Act, the College shall have the following Committees:

(a) Executive Committee;
(b) Registration Committee;
(c) Inquiries, Complaints and Reports Committee;
(d) Discipline Committee;
(e) Fitness to Practise Committee;
(f) Quality Assurance Committee; and
(g) Patient Relations Committee.

8.1.2 Subject to subparagraph 8.1.3, the composition of the Committees referred to in subparagraphs 8.1.1(a) to 8.1.1(g) shall be as set out in this By-Law and the duties shall be as set out in the Act and the By-Law.

8.1.3 Upon the proclamation of section 5(2) of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this Article 8 as they relate to the Committees referred to in subparagraphs 8.1.1(a) to 8.1.1(g), shall be subject to the provisions of the RHPA Regulations, if any, that relate to such Committees, including, for example, provisions:

(a) establishing the composition of such Committees;
(b) establishing the qualifications, screening, appointment and terms of office of members of such Committees who are not Directors; and
(c) governing the relationship between such provisions and the By-Law.

8.2 Statutory Committee under the Pharmacy Act.

Pursuant to the Pharmacy Act, the College shall have an Accreditation Committee, the composition of which is set out in this By-Law and the duties of which are set out in the Drug and Pharmacies Regulation Act and this By-Law.

8.3 Standing Committees.
In addition to the Statutory Committees, the College shall establish the following standing Committees, the composition and duties of which are set out in this By-Law:

8.3.1 Finance and Audit Committee;
8.3.2 Screening Committee;
8.3.3 Governance Committee; and
8.3.4 Drug Preparation Premises Committee.

8.4 Appointment of Special Committees.

The Board may, from time to time, appoint such special Committees, task forces and working groups as it deems appropriate or necessary for the attainment of the objects of the College and the efficient conduct of its affairs. Every special Committee, task force or working group shall have specified terms of reference and a date upon which it shall dissolve.

8.5 Reporting of Committees.

All Committees shall report at least annually to the Board.

ARTICLE 9
COMPOSITION AND DUTIES OF STATUTORY AND STANDING COMMITTEES

9.1 Article Subject to RHPA Regulations.

Upon the proclamation of section 5(2) of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this Article 9 as they relate to the Committees referred to in subparagraphs 8.1.1(a) to 8.1.1(g), will be subject to the provisions of the RHPA Regulations, if any, that relate to such Committees.

9.2 Composition of the Executive Committee.

The Executive Committee shall be composed of:

9.2.1 the Chair and the Vice-Chair, and three (3) additional Directors, one (1) of whom shall be an Elected Director and two (2) of whom shall be Public Directors.

9.3 Chair of the Executive Committee.

The Chair shall be the chair of the Executive Committee.

9.4 Duties of the Executive Committee.

The Executive Committee shall:
9.4.1 in accordance with section 12 (1) of the Code, exercise all the powers and duties of the Board between Board meetings that, in the Committee’s opinion, require attention, other than the power to make, amend or revoke a regulation or By-Law;

9.4.2 recommend to the Board proposals for changes to applicable statutes, regulations, By-Laws, College policies and standards of practice;

9.4.3 receive findings and recommendations from the Governance Committee pursuant to subparagraph 5.10.7, take such action in respect of the person who is the subject of the findings and recommendations as it deems appropriate, and report its decision to the Board;

9.4.4 ensure that the policies of the Board are carried out;

9.4.5 report its activities, decisions and recommendations through the Chair at each meeting of the Board; and

9.4.6 have the following authorities with respect to staff compensation:

(a) annually, establish guidelines for the awarding of salary increases to staff;

(b) at least annually, review compensation for the Registrar; and

(c) provide broad policy guidance to senior management on matters related to non-salary compensation and benefit programs for College staff.

9.5 Composition of the Registration Committee.

The Registration Committee shall be composed of:

9.5.1 two (2) Public Directors;

9.5.2 five (5) or more Professional Committee Appointees;

9.5.3 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees;

9.5.4 a dean of a faculty or school of a pharmacy program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs, or his or her designate as approved by the Board; and

9.5.5 a representative of a pharmacy technician program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs.

9.6 Duties of the Registration Committee.
9.6.1 The Registration Committee shall:

(a) perform such functions as are assigned to it by statute or regulation; and

(b) maintain familiarity with the accreditation standards that the Canadian Council for Accreditation of Pharmacy Programs sets for all pharmacy and pharmacy technician programs that it accredits.

9.6.2 The Registration Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning registration, examinations and in-service training required prior to registration.

9.7 Composition of the Inquiries, Complaints and Reports Committee.

The Inquiries, Complaints and Reports Committee shall be composed of:

9.7.1 all of the Public Directors;

9.7.2 ten (10) or more Professional Committee Appointees; and

9.7.3 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.8 Duties of the Inquiries, Complaints and Reports Committee.

9.8.1 The Inquiries, Complaints and Reports Committee shall perform such functions as are assigned to it by statute or regulation.

9.8.2 The Inquiries, Complaints and Reports Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning investigations, complaints and reports.

9.9 Composition of the Discipline Committee.

The Discipline Committee shall be composed of:
9.9.1 all of the Elected Directors;
9.9.2 all of the Public Directors except those who are on the Accreditation Committee;
9.9.3 ten (10) or more Professional Committee Appointees who are not on the Accreditation Committee; and
9.9.4 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees who are not on the Accreditation Committee.

9.10  Duties of the Discipline Committee.

9.10.1 The Discipline Committee shall perform such functions as are assigned to it by statute or regulation.

9.10.2 The Discipline Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning discipline.

9.11 Composition of the Fitness to Practise Committee.

The Fitness to Practise Committee shall be composed of:

9.11.1 two (2) Public Directors;

9.11.2 two (2) or more Professional Committee Appointees; and

9.11.3 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.12 Duties of the Fitness to Practise Committee.

9.12.1 The Fitness to Practise Committee shall perform such functions as are assigned to it by statute or regulation.

9.12.2 The Fitness to Practise Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and
(b) provide guidance to the Board on matters concerning fitness to practise.

9.13 Composition of the Quality Assurance Committee.

The Quality Assurance Committee shall be composed of:

9.13.1 two (2) Public Directors;

9.13.2 five (5) or more Professional Committee Appointees; and

9.13.3 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.14 Duties of the Quality Assurance Committee.

9.14.1 The Quality Assurance Committee shall:

(a) perform such functions as are assigned to it by statute or regulation; and

(b) maintain a continuing review of the Quality Assurance Program.

9.14.2 The Quality Assurance Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning quality assurance.

9.15 Composition of the Patient Relations Committee.

The Patient Relations Committee shall be composed of:

9.15.1 two (2) or more Professional Committee Appointees; and

9.15.2 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.16 Duties of the Patient Relations Committee.

9.16.1 The Patient Relations Committee shall perform such functions as are assigned to it by statute or regulation.

9.16.2 The Patient Relations Committee may be required by the Board from time in the Board’s discretion to:
(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning patient relations.

9.17 Composition of the Accreditation Committee.

The Accreditation Committee shall be composed of:

9.17.1 two (2) Public Directors;

9.17.2 three (3) or more Professional Committee Appointees; and

9.17.3 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.18 Duties of the Accreditation Committee.

9.18.1 The Accreditation Committee shall perform such functions as are assigned to it by statute or regulation.

9.18.2 The Accreditation Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning accreditation.

9.19 Composition of the Finance and Audit Committee.

The Finance and Audit Committee shall be composed of:

9.19.1 two (2) or more Elected Directors; and

9.19.2 at the discretion of the Governance Committee, two (2) or more Lay Committee Appointees.

9.20 Duties of the Finance and Audit Committee.

The Finance and Audit Committee shall:

9.20.1 review and recommend to the Board, the annual operating and capital budget for the College;

9.20.2 maintain a rolling two (2) year operating budget;
9.20.3 review quarterly financial statements and report to the Board significant deviations from budget;

9.20.4 meet with the auditor each year,

(a) before the audit to review the timing and extent of the audit and to bring to the attention of the auditor any matter of which it considers the auditor should be made aware; and

(b) as shortly after the completion of the audit as is practical, in order to review and discuss with the auditor the financial statements and the auditor’s report;

9.20.5 review and report to the Board on the effectiveness of the external audit function and any matter which the external auditor wishes to bring to the attention of the College;

9.20.6 make recommendations to the Board on the appointment or reappointment of the external auditor;

9.20.7 make recommendations to the Board regarding the management of the College’s assets and liabilities and additions or improvements to the real property owned or operated by the College; and

9.20.8 recommend to the Board changes to applicable By-Laws, College policies and standards of practice.

9.21 Composition of the Screening Committee.

The Screening Committee shall be composed of:

9.21.1 the chair of the Governance Committee;

9.21.2 two (2) additional Directors, one (1) or more of whom shall be a Public Director; and

9.21.3 two (2) or more Lay Committee Appointees.

9.22 Duties of the Screening Committee.

The Screening Committee shall:

9.22.1 administer the process for screening applicants to be qualified as candidates for the Board in accordance with paragraph 5.10; and

9.22.2 review applications and recommend applicants to be appointed as Professional Committee Appointees or Lay Committee Appointees.

9.23 Composition of the Governance Committee.
The Governance Committee shall be composed of:

9.23.1 four (4) Directors, including the Vice-Chair (who shall be the chair of the Governance Committee) and one (1) or more of each of the following: a Public Director, a pharmacist Elected Director and a pharmacy technician Elected Director; and

9.23.2 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.24 **Duties of the Governance Committee.**

The Governance Committee shall:

9.24.1 assess the collective knowledge, skills and experience of the current Board in order to:

i) determine the competencies the Board will be seeking in the upcoming election and develop the Director Profile; and

ii) consider and implement the succession strategy for the positions of Chair, Vice-Chair and member of the Executive Committee, in order to determine which Directors are qualified for the purpose of paragraph 12.1;

9.24.2 recommend a slate of appointees for Committees;

9.24.3 oversee the processes for orientation of Directors and members of Committees;

9.24.4 oversee the process to evaluate the performance of Committees, the Board as a whole, as well as individual Directors and Committee appointees;

9.24.5 identify and recommend opportunities for education, training, coaching and remediation of Directors and Committee members;

9.24.6 in the event of a dispute as set out in subparagraph 5.10.7, conduct an investigation and report findings and recommendations to the Executive Committee about whether a Registrant is eligible or qualified as a candidate for election; and

9.24.7 review By-Laws and Board policies for conformance with current legislative requirements and good governance best practices.

9.25 **Composition of the Drug Preparation Premises Committee.**

The Drug Preparation Premises Committee shall be composed of the same members as the Accreditation Committee. The chair of the Accreditation Committee shall be the chair of the Drug Preparation Premises Committee.
9.26  **Duties of the Drug Preparation Premises Committee.**

The Drug Preparation Premises Committee shall:

9.26.1 administer and govern the College’s Drug Preparation Premises inspection program in accordance with the *Pharmacy Act Regulations*; and

9.26.2 deal with any other matters concerning the inspection of Drug Preparation Premises as directed by the Board.

**ARTICLE 10**

**DUTIES OF OFFICERS**

10.1  **Duties of the Chair and the Vice-Chair.**

10.1.1 The Chair shall:

(a) preside as chair at all meetings of the Board; and

(b) make all necessary rulings as to the order of business, subject to an appeal to the Directors present.

10.1.2 The Vice-Chair shall, in the event of the absence or inability of the Chair to act, perform the duties of the Chair.

10.1.3 In the event of the absence or inability of both the Chair and the Vice-Chair to act, the Directors present at a meeting of the Board may appoint one (1) of the other Directors to preside at any meeting of the Board.

10.1.4 In the event of the death, or disqualification, or inability to act of a permanent nature of the Chair or the Vice-Chair, the Board shall elect Directors to fill these vacancies according to the provisions of this By-Law for calling a meeting and electing the Chair and the Vice-Chair.

10.1.5 Where the Chair has lost the confidence of the Board, the Board may, on a notice of motion to that effect or at a special meeting of the Board, disqualify the Chair from office by a vote of at least two-thirds of the Directors present and eligible to vote.

**ARTICLE 11**

**COMMITTEE APPOINTEES**

11.1  **Professional Committee Appointments.**

11.1.1 The application form for appointment as a Professional Committee Appointee shall be made available on the College’s website.

11.1.2 Subject to subparagraph 8.1.3, a Registrant is eligible for appointment to a Committee as a Professional Committee Appointee if the Registrant has
completed and submitted an application form to the Screening Committee and on the date of the appointment:

(a) the Registrant holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician;

(b) the Registrant either practises or resides in Ontario;

(c) the Registrant is not in default of payment of any fees prescribed in this By-Law;

(d) the Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;

(e) the Registrant is not the subject of any disciplinary or incapacity proceeding;

(f) the Registrant is not currently charged with nor has been found guilty of an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada);

(g) the Registrant has not, in the opinion of the Screening Committee, engaged in conduct unbecoming a Committee member;

(h) the Registrant’s Certificate of Registration has not been revoked or suspended in the six (6) years preceding the date of the appointment;

(i) the Registrant’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;

(j) the Registrant has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the appointment;

(k) the Registrant does not have a conflict of interest in respect of the Committee to which he or she seeks to be appointed;

(l) the Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the appointment, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection; and

(m) the Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association. For greater certainty, nothing in this clause will prevent a Registrant who
serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from becoming a Professional Committee Appointee.

11.2 Lay Committee Appointees

11.2.1 The application form for appointment as a Lay Committee Appointee shall be made available on the College’s website.

11.2.2 An individual is eligible for appointment to a Committee as a Lay Committee Appointee if the individual has completed and submitted an application form to the Screening Committee and on the date of the appointment:

(a) the individual resides in Ontario;

(b) the individual has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the appointment;

(c) the individual has never been a Registrant;

(d) the individual has not been found to have committed an act of professional misconduct or to be incompetent by a panel of an adjudicatory committee of any profession;

(e) the individual is not the subject of any disciplinary or incapacity proceeding by a panel of an adjudicatory committee of any profession;

(f) the individual is not currently charged with nor has been found guilty of an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada);

(g) the individual has no direct or indirect ownership interest in a pharmacy other than holding shares on a publicly traded stock exchange;

(h) the individual does not have a conflict of interest in respect of the Committee to which he or she seeks to be appointed; and

(i) the individual is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association, or any professional advocacy association of any health profession under the Act. For greater certainty, nothing in this clause will prevent an individual who serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from running becoming a Lay Committee Appointee.
ARTICLE 12
ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE

12.1 Election of the Chair, Vice-Chair and Executive Committee.

12.1.1 At the first regular meeting of the Board after each annual August election, the Governance Committee shall present a report of all eligible Directors who are willing to serve as and have been assessed by the Governance Committee to be qualified for the role of (a) Chair, (b) Vice-Chair, and (c) member of the Executive Committee.

12.1.2 The election of the Chair shall be conducted in the following manner:

(a) The chair of the Governance Committee shall announce those who are willing to serve as and are qualified to be Chair.

(b) The chair of the Governance Committee shall call for further interest from the floor, and those additional Directors who are interested in running for Chair shall be added as candidates for election.

(c) If there is more than one (1) candidate, an election shall be held using electronic voting methods.

(d) The candidate receiving the overall majority of votes cast will be elected. If there are three (3) or more candidates and no candidate has received an overall majority of votes, the candidate who received the fewest votes will be removed from the ballot and the vote will be repeated until there are two (2) candidates remaining. The vote will then be repeated until one (1) of the candidates has an overall majority of votes. If three (3) votes result in a tie, the result will be determined by lot by the outgoing Chair.

12.1.3 The procedure outlined in subparagraph 12.1.2 will then be repeated for the office of Vice-Chair.

12.1.4 The Board shall elect the remaining members of the Executive Committee, in accordance with the composition requirements in paragraph 9.2. The election will be conducted in the following manner:

(a) The chair of the Governance Committee shall announce those who are willing to serve as and are qualified to be on the Executive Committee.

(b) The chair of the Governance Committee shall call for further interest from the floor, and those additional Directors who are interested in running for open positions on the Executive Committee shall be added as candidates for election.
(c) Should there be only one (1) candidate who is an Elected Director, such candidate shall be declared appointed.

(d) Should the number of candidates who are Public Directors match the number of open positions on the Executive Committee for Public Directors in accordance with paragraph 9.2, such candidates shall be declared appointed.

(e) Should the number of candidates in either category exceed the number of open positions in that category, an election shall be held following the procedure in subparagraph 12.1.2(c). Should there be more than one (1) open position in a category, Directors shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who receives the fewest votes will then be removed from the ballot, and the voting will continue until the number of candidates remaining matches the number of open positions in the category, and such candidates shall be declared appointed. Directors may only cast one (1) vote per candidate on each ballot.

ARTICLE 13
APPOINTMENTS TO COMMITTEES

13.1 Appointments to Statutory and Standing Committees.

13.1.1 All Statutory Committee and standing Committee appointments, with the exception of the Executive Committee and the Screening Committee, shall be made by the Board in accordance with this paragraph 13.1 at the first regular meeting of the Board after each annual August election, and shall be for a term that expires at the first regular meeting of the Board after the following election.

13.1.2 At the first regular meeting of the Board after each annual August election, the Governance Committee shall present to the Board a slate of candidates for all Committees, other than the Executive Committee and the Screening Committee.

13.1.3 For each Committee to be formed at the first regular meeting of the Board after each annual August election except for the Executive Committee, the Board shall pass a resolution approving the slate, subject to any amendments by Board resolution. Once approved, each candidate on the slate shall be deemed to have been appointed to that Committee.

13.2 Appointment of Screening Committee.

13.2.1 The Screening Committee for the election to the Board each year shall be appointed by the Board at the Board Meeting held in March in the year of the
election. The members of the Screening Committee shall hold office for a term that expires at the first Board meeting following the election.

13.3 Committee Chairs

13.3.1 Following their formation, each Statutory Committee and standing Committee other than the Governance Committee, the Drug Preparation Premises Committee and the Executive Committee, shall select from among its members a chair of the Committee.

ARTICLE 14
COMMITTEE PROCEDURES

14.1 Disqualification, Vacancies and Term Limits of Committee Members.

14.1.1 A member of a Committee who is a Registrant is disqualified from sitting on the Committee if the member:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(b) is found to be an incapacitated Registrant by a panel of the Fitness to Practise Committee.

14.1.2 The Board may disqualify a member of a Committee from sitting on the Committee if the member:

(a) fails, without cause, to attend the orientation of members of Committees or three (3) consecutive meetings of the Committee or of a subcommittee of which he or she is a member;

(b) fails, without cause, to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;

(c) repeatedly fails to make himself or herself available to participate in meetings or panels of a Committee or Committees on which the member sits;

(d) ceases to either practise or reside in Ontario;

(e) is in default of payment of any fees prescribed in the By-Laws;

(f) becomes an employee, officer or director of a Professional Advocacy Association (however, for greater certainty, a member of a Committee will not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Board as a representative of the College);
(g) breaches the provisions of the By-Laws, including the Schedules to the By-Laws, or the policies and procedures of the College in force at the relevant time;

(h) in the case of a Director who sits on a Committee, ceases to be a Director;

(i) in the case of a Professional Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.1.2; or

(j) in the case of a Lay Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.2.2.

14.1.3 A person who is disqualified under subparagraph 14.1.1 or 14.1.2 from sitting on a Committee is thereby removed from the Committee and ceases to be a member of the Committee and, subject to subparagraph 14.1.5, the Chair shall appoint a successor as soon after the disqualification as is feasible.

14.1.4 The term of office of a person who is appointed as a successor to a Committee member under subparagraph 14.1.3 will commence upon the appointment and continue until the term of office of the member of the Committee who is being replaced would have expired.

14.1.5 A vacancy in the membership or chair of a Committee shall be filled by appointment made by the Chair. In the case of a vacancy in the membership of a Committee, the Chair shall consult with the chair of the Committee before making the appointment.

14.1.6 Nothing in paragraph 14.1 prevents the Board, or the Executive Committee acting on its behalf, from adding members to or substituting members on a Committee at any time where one (1) or more members of the Committee cannot fulfill their role.

14.2 Quorum.

Unless specifically provided for otherwise under the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act, or the regulations made under any of those Acts, a majority of the members of a Committee constitutes a quorum for a meeting of a Committee.

14.3 Voting.

Unless specifically provided for otherwise under the Act, the Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act, the regulations made under any of those Acts, or this By- Law, any question arising at any meeting of a Committee shall be determined by a majority of votes of members of the Committee present at the meeting and eligible to vote.
14.4 Committee Vacancies.

Where this By-Law requires a Committee to have a minimum number of persons by using the phrase “or more” or words of a similar meaning, a vacancy which reduces the number of members of the Committee below the minimum number will not affect the validity of any action or decision taken by the Committee or any panel of the Committee.

ARTICLE 15
BUSINESS OF THE COLLEGE

15.1 Seal.

The seal shall be the seal of the College.

15.2 Execution of Documents.

15.2.1 Deeds, mortgages, conveyances, powers of attorney, transfers and assignments of property of all kinds including without limitation transfers and assignment of shares, warrants, bonds, debentures or other securities (collectively the “instruments”) may be signed on behalf of the College by the Chair or Vice-Chair and any one (1) of the Registrar, the Deputy Registrar, and the persons holding the positions of director of conduct, director of corporate services, or director of quality, or their equivalent, provided that such instruments have been signed in accordance with any policy of the College regarding the execution of instruments then in effect, and further provided that no individual shall execute, acknowledge, or verify any instrument in more than one capacity. All instruments so signed shall be binding upon the College without any further authorization or formality. In addition, the Board may from time to time direct by resolution the manner in which, and the person or persons by whom, any particular instrument or class of instruments may or shall be signed. Any signing officer may affix the corporate seal thereto.

15.2.2 Certificates of Registration shall be signed by the Chair and the Registrar.

15.2.3 Contracts may be signed on behalf of the College in accordance with any policy of the Finance and Audit Committee regarding the execution of such contracts.

15.2.4 The signature of any individual, authorized to sign on behalf of the College may be written, printed, stamped, engraved, lithographed or otherwise mechanically reproduced or may be an electronic signature. Anything so signed shall be as valid as if it had been signed manually, even if that individual has ceased to hold office when anything so signed is issued or delivered, until the individual’s authorization to sign on behalf of the College is revoked by resolution of the Board.

15.3 Banking and Finance.
15.3.1 The banking business of the College shall be transacted with such chartered banks, trust companies or other financial institutions as may, from time to time, be designated by or under the authority of the Board on recommendation of the Finance and Audit Committee. All such banking business, or any part thereof, shall be transacted on the College’s behalf by one (1) or more officers and/or other persons as the Board may designate, direct, or authorize, from time to time, by resolution and to the extent therein provided.

15.3.2 Cheques drawn on the bank, trust or other similar accounts of the College, drafts drawn or accepted by the College, promissory notes given by it, acceptances, bills of exchange, orders for the payment of money and other instruments of a like nature, may be made, signed, drawn, accepted or endorsed, as the case may be, by any two (2) of the Registrar, the Deputy Registrar and the persons holding the positions of director of conduct, director of corporate services, and director of quality, or their equivalent, provided however that no individual shall execute, acknowledge, or verify any instrument in more than one (1) capacity.

15.4 Financial Year and Audit.

15.4.1 The financial year of the College is the calendar year ending December 31.

15.4.2 The Board shall appoint a chartered accountant or a firm of chartered accountants to audit the books and prepare a financial statement for each fiscal year, such appointment to be made at a Board meeting in the year for which the books are to be audited.

15.5 Inspectors.

The Registrar may from time to time, and within budgetary limits, appoint inspectors for the purposes of the Drug and Pharmacies Regulation Act, any such appointment to be reported to the Executive Committee and to the Board at the next regular meeting following the appointment. Inspectors so appointed will have such authority and shall perform such duties as are set out in the Drug and Pharmacies Regulation Act and such additional duties as may be prescribed by the Registrar.

15.6 Inspectors for the Purposes of Inspecting Drug Preparation Premises.

The Registrar may appoint inspectors for the purposes of the Pharmacy Act Regulations. Inspectors so appointed shall have such authority and shall perform such duties as are set out in the Pharmacy Act Regulations.

15.7 Grants.

15.7.1 The Board shall set aside, in the budget each year, such funds as are deemed necessary for the maintenance and operation of the Niagara Apothecary, in
keeping with the agreement signed in respect thereof with the Ontario Heritage Trust.

15.7.2 The Board shall set aside in the budget each year such funds as are deemed appropriate for grants for any purpose that may tend to advance scientific knowledge or pharmacy education, or maintain or improve the standards of practice in pharmacy.

15.8 Funds.

15.8.1 The disbursement of funds of the College shall be as authorized in the annual budget approved by the Board for the fiscal year upon the recommendation of the Finance and Audit Committee. Funds not authorized under the budget shall be disbursed only after approval by the Board.

15.8.2 Investments of surplus funds shall be made in accordance with investment policies in effect from time to time approved by the Board on the recommendation of the Finance and Audit Committee. The securities of the College may be deposited for safekeeping and withdrawn, from time to time, with one (1) or more chartered banks, trust companies or other financial institutions in accordance with such investment policies.

15.9 College Membership.

The College may be a member of a national organization of bodies with similar functions.

15.10 Delegation of Powers and Duties.

15.10.1 The Registrar may, by written delegation, delegate any of the Registrar’s powers and/or duties to any employee or officer of the College.

15.10.2 The Deputy Registrar is vested with and may exercise all the powers and perform all the duties of:

(a) the Registrar in the event the Registrar is absent or is unable to act with the exception of those powers or duties, if any, that have been delegated by the Registrar in accordance with subparagraph 15.10.1; and

(b) a delegate of the Registrar in the event that such delegate is absent or unable to act in respect of any powers or duties delegated to him or her by the Registrar in accordance with subparagraph 15.10.1.

ARTICLE 16
THE REGISTER

16.1 Registrant’s Name.
A Registrant’s name in the Register shall be:

16.1.1 the Registrant’s name as provided in the documentary evidence used to support the Registrant’s initial registration with any other given name commonly used by the Registrant included in parentheses, or such other name as is acceptable to the Registrar; or

16.1.2 a name other than as provided in subparagraph 16.1.1 where a written request is made by the Registrant and the Registrar is satisfied that the Registrant has validly changed his or her name and that the use of the name is not for an improper purpose.

16.2 Business Address and Telephone Number.

16.2.1 A Registrant’s business address and business telephone number in the Register shall be, respectively, the address and telephone number of each location at which the Registrant practises in Ontario or, in the case of a Registrant whose practice consists of providing temporary or relief services and who maintains no permanent place of practice, the address and telephone number of each agency or other person or business for or through which the Registrant provides such services.

16.2.2 Where a Registrant does not practise in Ontario, the Registrant’s business address and business telephone number in the Register shall be, respectively, the address designated by the Registrant as the Registrant’s business address and the telephone number associated with that business address.

16.3 Information Regarding a Result.

When any provision of this Article 16 requires information regarding a “result” to be included in the Register, the term “result” shall have the same meaning as provided to it in the Act. Specifically, “result” when used in reference to:

16.3.1 a disciplinary proceeding, means the panel’s finding that the Registrant committed an act of professional misconduct or was incompetent, particulars of the grounds for the finding, a synopsis of the decision and the order made, including any reprimand, and where the panel has made no such finding, includes a notation that no such finding was made and the reason why no such finding was made; and

16.3.2 an incapacity proceeding, means the panel’s finding that the Registrant is incapacitated and the order made by the panel.

16.4 Publication Ban.

Notwithstanding any other provision herein, no action shall be taken under this Article 16 which violates a publication ban, and nothing in this Article 16 requires or authorizes the violation of a publication ban.
16.5 Disclosure of Information.

Notwithstanding any other provision herein, nothing in this Article 16 shall require or authorize the disclosure of information, including personal health information (as defined by the Code) where such disclosure would lead to a violation of the Code, including subsections 23(8), 23(9) or 23(11) of the Code.

16.6 Information to be kept in Register by the Code - Registrants.

Under subsection 23(2) of the Code, but subject to the remaining subsections of section 23 of the Code, the following information must be contained in the Register and must be available to the public:

16.6.1 Each Registrant’s name, business address and business telephone number, and, if applicable, the name of every Health Profession Corporation of which the Registrant is a shareholder.

16.6.2 Where a Registrant is deceased, the name of the deceased Registrant and the date upon which the Registrant died, if known.

16.6.3 The name, business address and business telephone number of every Health Profession Corporation.

16.6.4 The names of the shareholders of each Health Profession Corporation who are Registrants.

16.6.5 Each Registrant’s class of registration and specialist status (specialist status not applicable to the College).

16.6.6 The terms, conditions and limitations that are in effect on each Certificate of Registration.

16.6.7 A notation of every caution that a Registrant has received from a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26(1) of the Code, and any specified continuing education or remedial programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26(1) of the Code.

16.6.8 A notation of every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved, including the date of the referral and the status of the hearing before a panel of the Discipline Committee, until the matter has been resolved.

16.6.9 A copy of the specified allegations against a Registrant for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and that has not been finally resolved.
16.6.10  The result, including a synopsis of the decision, of every disciplinary and incapacity proceeding.

16.6.11  A notation and synopsis of any acknowledgements and undertakings in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a Registrant has entered into with the College and that are in effect.

16.6.12  A notation of every finding of professional negligence or malpractice, which may or may not relate to the Registrant’s suitability to practise, made against the Registrant, unless the finding is reversed on appeal.

16.6.13  A notation of every revocation or suspension of a Certificate of Registration.


16.6.15  Information that a panel of the Registration Committee, Discipline Committee or Fitness to Practise Committee specifies shall be included.

16.6.16  Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.

16.6.17  Where, during or as a result of a proceeding under section 25 of the Code, a Registrant has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.

16.6.18  The outcomes of any inspections undertaken by an inspection program of the College established under subsection 95(1)(h) or (h.1) of the Code, including inspections of the nature referred to in subparagraph 16.10.1.

16.6.19  Information that is required to be kept in the Register in accordance with the By-Laws.

16.6.20  Information that is required to be kept in the Register in accordance with the RHPA Regulations.

16.7  Information to be kept in Register by RHPA Regulations - Registrants.

Under the RHPA Regulations, specifically, Ontario Regulation 261/18, subject to any exceptions or restrictions contained therein, the following information shall be contained in the Register, if known to the College, and must be available to the public:

16.7.1  If there has been a finding of guilt against a Registrant under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) and if none of the conditions in subparagraph 16.7.6 have been satisfied:

   (a)  a brief summary of the finding;
(b) a brief summary of the sentence; and

(c) if the finding is under appeal, a notation that it is under appeal until the appeal is finally disposed of.

16.7.2 With respect to a Registrant, any currently existing conditions of release following a charge for an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) or subsequent to a finding of guilt and pending appeal or any variations to those conditions.

16.7.3 If a Registrant has been charged with an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) and the charge is outstanding:

(a) the fact and content of the charge; and

(b) the date and place of the charge.

16.7.4 If a Registrant has been the subject of a disciplinary finding or a finding of professional misconduct or incompetence by another regulatory or licensing authority in any jurisdiction:

(a) the fact of the finding;

(b) the date of the finding;

(c) the jurisdiction in which the finding was made; and

(d) the existence and status of any appeal.

16.7.5 If a Registrant is currently licensed or registered to practise another profession in Ontario or a profession in another jurisdiction, the fact of that licensure or registration.

16.7.6 The conditions referred to in paragraph 16.7.1 are the following:

(a) the Parole Board of Canada has ordered a record suspension in respect of the conviction;

(b) a pardon in respect of the conviction has been obtained; and

(c) the conviction has been overturned on appeal.

16.7.7 Nothing in this paragraph 16.7 shall be interpreted as authorizing the disclosure of identifying information about an individual other than a Registrant.

16.7.8 For the purposes of this paragraph 16.7, “identifying information” means information that identifies an individual or for which it is reasonably
foreseeable in the circumstances that it could be utilized, either alone or with other information, to identify an individual.

16.8 **Additional Information to be kept in Register - Registrants.**

For the purposes of paragraph 20 of subsection 23(2) of the *Code*, and subject to paragraphs 16.13 and 16.14, the following additional information referable to Registrants will be kept in the Register, and is designated as public pursuant to subsection 23(5) of the *Code*:

16.8.1 Any changes to each Registrant’s name which have been made in the Register since the Registrant was first issued a Certificate of Registration.

16.8.2 Each Registrant’s gender and registration number.

16.8.3 The date when each Registrant’s Certificate of Registration was first issued or, if the Registrant was licensed under Part VI of the *Health Disciplines Act*, the date when the Registrant was first issued a licence by the College.

16.8.4 Where a person ceased to be a Registrant as a result of his or her resignation or death, the last calendar year during which the person was a Registrant.

16.8.5 Where a Registrant holds a Certificate of Registration as a pharmacist, intern, pharmacy technician or intern technician (following the date upon which the *Pharmacy Act Regulations* are amended to recognize intern technicians as a class of Certificates of Registration) the name and location of the university or college from which the Registrant received his or her degree in pharmacy or completed his or her pharmacy technician or intern technician program (as the case may be) and the year in which the degree was obtained or the program was completed.

16.8.6 The classes of Certificate of Registration held or previously held by each Registrant, the date on which each was issued and, if applicable, the termination or expiration date of each.

16.8.7 Where a Registrant holds a Certificate of Registration as a:

(a) pharmacist, a notation as to whether the Registrant is listed in Part A or Part B of the Register; and

(b) pharmacy technician, following the date upon which the *Pharmacy Act Regulations* are amended to include a two (2)-part register for pharmacy technicians, a notation as to whether the Registrant is listed in Part A or Part B of the Register.

16.8.8 Whether the Registrant has completed the necessary injection training requirements approved by the College.
16.8.9 Where a Registrant is an officer or director of a Health Profession Corporation which holds a Certificate of Authorization, the name of the Health Profession Corporation and what position or title the Registrant holds with that corporation.

16.8.10 Where a Registrant is an officer or director of a corporation which holds a Certificate of Accreditation, the name of the corporation and what position or title, if any, the Registrant holds with that corporation.

16.8.11 Where a Registrant is a Designated Manager or Contact Person of a pharmacy, a notation of the name and location of each pharmacy at which the Registrant holds that designation.

16.8.12 Where a Registrant is a Narcotic Signer of a pharmacy, a notation of the name and location of each pharmacy at which the Registrant holds that authority.

16.8.13 Where applicable, a summary of any restriction on a Registrant’s right to practise:

   (a) resulting from an undertaking given by the Registrant to the College or an agreement entered into between the Registrant and the College; or

   (b) of which the College is aware and which has been imposed by a court or other lawful authority, in which event the summary shall include a description of the restriction, the date on which the restriction was imposed, the jurisdiction in which the restriction was made, and the existence and status of any appeal.

16.8.14 Without affecting the requirement of paragraph 16.7, where there has been a charge or finding of guilt against a Registrant of which the College is aware in respect of a federal, provincial and/or state offence in Canada or any other jurisdiction, that the Registrar believes is relevant to the Registrant’s suitability to practise:

   (a) a brief summary of the charge or finding, as the case may be;

   (b) the date of the charge or finding, as the case may be;

   (c) the jurisdiction in which the charge was brought or finding of guilt was made; and

   (d) in the case of a finding of guilt, the existence and status of any appeal, unless, in the case of a finding of guilt the relevant legal authority has: (i) ordered a record suspension in respect of the conviction; (ii) issued a pardon in respect of the conviction; or (iii) the conviction has been overturned on appeal, in which case the
information described in subparagraph 16.8.14 will no longer be required.

16.8.15 Without affecting the requirement of subparagraph 16.7.2, a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the Registrant in respect of a federal, provincial and/or state offence in Canada or any other jurisdiction of which the College is aware and that the Registrar believes is relevant to the Registrant’s suitability to practise.

16.8.16 Without affecting the requirement of subparagraph 16.7.5, where the College is aware that a Registrant is currently licensed or registered to practise: (i) the profession in another jurisdiction; or (ii) another profession in Ontario or any other jurisdiction, with respect to such licence or registration:

   (a) the existence of the licence or registration;

   (b) the name of the granting organization; and

   (c) the jurisdiction in which it was granted;

16.8.17 Where a Registrant’s Certificate of Registration is subject to an interim order of the Inquiries, Complaints and Reports Committee, a notation of that fact, the nature of that order and its effective date.

16.8.18 Without affecting the requirement of subparagraph 16.6.13, where a Registrant’s Certificate of Registration is suspended by the Registrar, the date upon which the suspension or revocation took effect and, for greater certainty, the reason for such suspension.

16.8.19 Without affecting the requirement of subparagraph 16.6.6, where a Registrant has any terms, conditions or limitations in effect on his or her Certificate of Registration, the effective date of those terms, conditions and limitations.

16.8.20 Where terms, conditions or limitations on a Registrant’s Certificate of Registration have been varied or removed, the effective date of the variance or removal of those terms, conditions and limitations.

16.8.21 Where a suspension of a Registrant’s Certificate of Registration is lifted or otherwise removed, the effective date of the lifting or removal of that suspension.

16.8.22 Where a Registrant’s Certificate of Registration is reinstated, the effective date of the reinstatement.

16.8.23 Where the Registrar confirms whether the College is investigating a Registrant because there is a compelling public interest in disclosing this information pursuant to 36(1)(g) of the Act, the fact that the Registrant is under investigation.
Where a complaint has been filed or an investigator has been appointed under 75(1)(a) or 75(1)(b) of the Code, and a panel of the Inquiries, Complaints and Reports Committee requires a Registrant to appear before a panel of the Committee to be cautioned:

(a) a notation of that fact;
(b) a summary of the caution;
(c) the date of the panel’s decision; and
(d) if applicable, a notation that the panel’s decision is subject to review and therefore is not yet final, which notation shall be removed once the review is finally disposed of.

Where a complaint has been filed or an investigator has been appointed under 75(1)(a) or 75(1)(b) of the Code, and a panel of the Inquiries, Complaints and Reports Committee takes other action requiring a Registrant to complete a specified continuing education or remediation program:

(a) a notation of that fact;
(b) a summary of the continuing education or remediation program;
(c) the date of the panel’s decision; and
(d) if applicable, a notation that the panel’s decision is subject to review and therefore is not yet final, which notation shall be removed once the review is finally disposed of.

Where an allegation of a Registrant’s professional misconduct or incompetence has been referred to the Discipline Committee, where a Registrant has been referred by the Accreditation Committee to the Discipline Committee under section 140 of the Drug and Pharmacies Regulation Act, or where the Registrar has referred an application for reinstatement to the Discipline Committee under section 73 of the Code and the matter is outstanding:

(a) the date of the referral;
(b) a brief summary of each specified allegation;
(c) the notice of hearing;
(d) the anticipated date of the hearing, if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced;
(e) if the hearing is awaiting scheduling, a statement of that fact; and
(f) if the hearing of evidence and arguments is completed and the parties are awaiting a decision of the Discipline Committee, a statement of that fact.

16.8.27 Where the results of a disciplinary proceeding are contained in the Register, the date on which the panel of the Discipline Committee made the finding of professional misconduct or incompetence and the date on which the panel ordered any penalty.

16.8.28 A summary of any reprimand given to a Registrant as part of the order of a panel of the Discipline Committee, unless the results of the proceeding before the Discipline Committee are not otherwise [without reference to the By-Laws] available to the public under the Code.

16.8.29 Without affecting the requirement of subparagraph 16.6.15, where the question of a Registrant’s capacity has been referred to the Fitness to Practise Committee and is outstanding,

(a) a notation of that fact; and

(b) the date of the referral.

16.8.30 Without affecting the requirement of subparagraph 16.7.4, where the College is aware that a finding of professional misconduct or incompetence has been made against a Registrant outside of Ontario in respect of any profession:

(a) a notation of that fact;

(b) the date of the finding and the name of the governing body that made the finding;

(c) a brief summary of the facts on which the finding was based;

(d) the penalty; and

(e) where the finding or penalty is under appeal, a notation of that fact, which notation shall be removed once the appeal is finally disposed of.

16.8.31 Where a decision of a panel of the Discipline Committee has been published by the College with the Registrant’s or former Registrant’s name included after December 31, 1999:

(a) a notation of that fact; and

(b) identification of, a link to, or a copy of the specific publication containing that decision.
16.8.32 The language(s) in which the Registrant can provide professional services as reported by the Registrant.

16.8.33 Any other information not otherwise referred to in subparagraph 16.6.20, which the College and the Registrant have agreed shall be available to the public.

16.9 Former Registrants.

16.9.1 The term “Former Registrant” means those individuals whose registration with the College is revoked, suspended or rescinded (in which case, recognizing that such individual is deemed to have never held registration with the College) by the College or is otherwise resigned or terminated.

16.9.2 Where the College is aware of such information, the information described in subparagraphs 16.6.12, 16.7.1 to 16.7.4, 16.8.14 to 16.8.16 and 16.8.30 in respect of Former Registrants shall be kept in the Register and is designated as public pursuant to subsection 23(5) of the Code.

16.10 Information to be kept in Register – Drug Preparation Premises.

For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 16.13 and 16.14, the following information referable to Drug Preparation Premises shall be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.10.1 The purpose (after January 1, 2016), outcome and status of inspections of Drug Preparation Premises (including conditions and reasons for fail results) carried out under the Pharmacy Act Regulations, including the relevant date.

16.10.2 A summary of the details of a Change of Control of a Drug Preparation Premises received by the College in accordance with Article 18.

16.10.3 Any other information which the College and a designated Registrant for the Drug Preparation Premises have agreed shall be available to the public.

16.11 Information to be Kept in Register – Health Profession Corporations.

For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 16.13 and 16.14, the following information referable to Health Profession Corporations shall be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.11.1 The Certificate of Authorization number of the Health Profession Corporation and the date upon which that Certificate was first issued.

16.11.2 Where the Certificate of Authorization has been revoked, a notation of that fact, the date when the revocation occurred and a brief summary of the reasons for the revocation.
16.11.3 Where the Certificate of Authorization was revised or a new Certificate of Authorization was issued to the Health Profession Corporation, a notation of that fact and the date when that occurred.

16.11.4 The name, as set out in the College’s Register, of each of the shareholders, officers and directors of the Health Profession Corporation who are Registrants and the title or office, if any, held by each.

For greater certainty, the information required by this paragraph shall not affect the requirement of subparagraph 16.6.3.

16.12 Information to be Kept in Register - Pharmacies.

For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 16.13 and 16.14, the following information referable to pharmacies shall be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.12.1 The pharmacy’s name, address, telephone and fax number.

16.12.2 The class of Certificate of Accreditation and Accreditation Number of the pharmacy.

16.12.3 The date the pharmacy opened.

16.12.4 The name of the Designated Manager or Contact Person of the pharmacy, as applicable.

16.12.5 The purpose (after January 1, 2016), outcome and status of inspections of the pharmacy, including the relevant date. This subparagraph applies to the most current purpose (after January 1, 2016), outcome and status of any inspection conducted after July 1, 2013 and the purpose (after January 1, 2016), outcome and status of every inspection conducted thereafter.

16.12.6 Any terms, conditions and limitations on the Certificate of Accreditation.

16.12.7 Where terms, conditions or limitations on the Certificate of Accreditation have been varied or removed, the effective date of their variance or removal.

16.12.8 Where the Certificate of Accreditation has been revoked or suspended, or has expired, a notation of that fact, the date when the revocation or suspension or expiry occurred and a brief summary of the reasons for the revocation or suspension.

16.12.9 Where a suspension of the Certificate of Accreditation has been lifted or otherwise removed, the effective date of its lifting or removal.

16.12.10 Where the Certificate of Accreditation has been amended, a notation of that fact and the date when it occurred.
16.12.11 A notation of every referral by the Accreditation Committee to the Discipline Committee under section 140 of the Drug and Pharmacies Regulation Act of the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation is a corporation, the directors of the corporation, until the matter has been resolved, including:

(a) the date of the referral;

(b) a brief summary of each specified allegation; and

(c) the anticipated date of the hearing, if the hearing date has been set, or the next scheduled date for the continuation of the hearing if the hearing has commenced.

16.12.12 The result, including a synopsis of the decision, of every disciplinary proceeding against the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation is a corporation, the directors of the corporation, unless a panel of the Discipline Committee makes no finding with regard to the proceeding.

16.12.13 Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.

16.12.14 A summary of any reprimand given publicly after November 1, 2006 to a Designated Manager of the pharmacy as part of an order of a panel of the Discipline Committee, unless the results of the proceeding before the Discipline Committee are not otherwise available to the public under the Drug and Pharmacies Regulation Act or the Code.

16.12.15 Where a Certificate of Accreditation is subject to an interim order of the Discipline Committee, a notation of that fact, the nature of the order and its effective date.

16.12.16 Where, during or as a result of a proceeding that was commenced pursuant to section 140 of the Drug and Pharmacies Regulation Act, a person or corporation ceases to operate a pharmacy and agrees never to operate a pharmacy again in Ontario, a notation of same.

16.12.17 Where applicable, a summary of any restriction on a pharmacy’s ability to operate:

(a) resulting from an undertaking given to the College or an agreement entered into with the College; or
(b) of which the College is aware and which has been imposed by a court or other lawful authority, in which event the summary of the restriction shall also include the source of the restriction.

16.12.18 Where an order has been made under section 162 or section 162.1 of the Drug and Pharmacies Regulation Act against the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation is a corporation, the directors of the corporation, a notation of that fact including:

(a) the date the order was made;

(b) a summary of the order; and

(c) where the order has been appealed, a notation that it is under appeal, until the appeal is finally disposed of.

16.12.19 Where the Owner or operator of the pharmacy, the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation or the operator of the pharmacy is a corporation, the directors of the corporation, have been found guilty of an offence under section 165 or section 166 of the Drug and Pharmacies Regulation Act, a notation of that finding including:

(a) the date the finding was made;

(b) a summary of the finding of the court;

(c) the sentence that the court imposed; and

(d) where the finding or the sentence has been appealed, a notation that it is under appeal, until the appeal is finally disposed of.

16.12.20 Where a trustee in bankruptcy, liquidator, assignee or personal representative of the person who owns or operates the pharmacy becomes authorized to own or operate the pharmacy pursuant to section 145 of the Drug and Pharmacies Regulation Act, a notation of that fact including the date the person commences to be so authorized and the date the person ceases to be so authorized.

16.12.21 Where a person has permanently closed the pharmacy, a notation of that fact and the date the pharmacy was closed.

16.12.22 Any other information not otherwise referred to in this paragraph, which the College and the person who has been issued the Certificate of Accreditation have agreed shall be available to the public.

16.13 Deletion of Information.
16.13.1 Unless otherwise indicated, where the information described in paragraphs 16.6 to 16.12 changes, the College may maintain the previous information on the Register, in addition to the new, changed information, as long as it may be relevant for the public to know in the opinion of the Registrar.

16.13.2 Despite paragraphs 16.8 to 16.12, and subject to subparagraphs 16.13.3, 16.13.4 and 16.13.5, the College is not required to maintain and may delete from the Register information about a Registrant, a Drug Preparation Premises, a Health Profession Corporation, or a pharmacy once three (3) years have passed since the revocation, suspension or other termination of the Certificate of Registration, operation of the Drug Preparation Premises, Certificate of Authorization or Certificate of Accreditation as the case may be.

16.13.3 Despite subparagraphs 16.13.2 and 16.13.5 and the Code, the College shall maintain on the Register all of the information about a Registrant and a pharmacy where the Register contains information about the Registrant, resulting from a direction or order of a Committee or resulting from an offence proceeding.

16.13.4 The College is not required to maintain and may delete from the Register any information which would otherwise have been required to be maintained under subparagraphs 16.8.13, 16.8.33, 16.12.17, 16.12.22 and 16.13.3 where the Registrar is satisfied that the information is no longer relevant for the public to know.

16.13.5 The College is not required to maintain and may delete from the Register any information which would otherwise have been required to be maintained under subparagraphs 16.8.24 and/or 16.8.25 where, after a review, the Inquiries, Complaints and Reports Committee has been required to remove or vary the appearance for a caution or a specified continuing education or remediation program. Where the original requirement to appear for a caution or to complete a specified continuing education or remediation program has been varied, the Registrar may enter a summary of the process leading up to and the results of the variation.


All of the information referred to in paragraphs 16.6 to 16.12 is designated as information that may be withheld from the public for the purposes of subsection 23(6) of the Code, such that the Registrar may refuse to disclose to an individual or post on the College’s website any or all of that information if the Registrar has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.
ARTICLE 17
FILING OF INFORMATION BY REGISTRANTS, PHARMACIES AND HEALTH PROFESSION CORPORATIONS

17.1 Filing of Information by Registrants.

17.1.1 The College shall forward to each Registrant who holds a Certificate of Registration as a pharmacist or pharmacy technician each year, and may forward to any Registrant at any time, in a form approved by the Registrar, a request for information that includes, but is not limited to:

(a) the Registrant’s home address and home telephone number, being the address and telephone number of the principal Ontario residence of the Registrant or, if the Registrant does not have a residence in Ontario, the Registrant’s principal residence and, where available, the Registrant’s e-mail address;

(b) where a Registrant is engaged in the practice of pharmacy, whether inside or outside of Ontario, the name, address, telephone number and facsimile number of each person or business for or through which the Registrant engages in the practice or, in the case of a Registrant whose practice consists of providing temporary or relief services and who maintains no permanent place of practice, the name, address, telephone number and facsimile number of each agency or other person or business for or through which the Registrant provides such services;

(c) the Registrant’s preferred address, preferred telephone number and where applicable, the Registrant’s preferred e-mail address for communications from the College;

(d) in the case of a Registrant who is required to possess personal professional liability insurance in accordance with Article 3, information respecting the Registrant’s personal professional liability insurance;

(e) information respecting the Registrant’s participation in the Quality Assurance Program;

(f) information required to be contained in the Register pursuant to the Code and the By-Laws;

(g) such other information as may be required to be provided to the College pursuant to the By-Laws, the Act, the Pharmacy Act, the Drug and Pharmacies Regulation Act or the regulations made under any of those Acts;
(h) information that relates to the professional characteristics and activities of the Registrant that may assist the College in carrying out its objects;

(i) information for the purpose of compiling statistical information to assist the College in fulfilling its objects; and

(j) any other information that the College deems may assist it in carrying out its objects.

17.1.2 Each Registrant shall fully and accurately respond to the request for information, and shall submit the information to the College, in the required form, by the deadline set out in the request for information to the Registrant.

17.1.3 Where any information that a Registrant has provided to the College in response to a request under subparagraph 17.1.1 has changed, the Registrant shall notify the College of the change within thirty (30) days of its effective date.

17.1.4 In addition to the requirements in subparagraphs 17.1.2 and 17.1.3, a Registrant shall comply, within the time stipulated by the Registrar, with all requests by the Registrar for the provision of any information that is required to be contained in the Register, or that the Registrant is required to provide to the College, pursuant to the Code or the By-Laws.

17.2 Filing of Information by Applicants for a Certificate of Accreditation.

17.2.1 Every applicant for a Certificate of Accreditation shall file the following information with the Registrar at least 30 (thirty) days before the date on which the applicant proposes to commence operation of the pharmacy:

(a) the full name of the applicant and, where the applicant is a corporation, the full name and residential addresses of the directors and officers of the corporation and the corporation number;

(b) where the applicant is:

   (i) a corporation or partnership, the business address of the corporation or partnership; or

   (ii) an individual, the home address of the individual;

(c) the name by which the pharmacy will be known to the public;

(d) the location of the pharmacy;

(e) the proposed date of the opening of the pharmacy;
such additional information as the College requires in its application form for issuance of a Certificate of Accreditation, or as the College otherwise requests or requires pursuant to the *Drug and Pharmacies Regulation Act* Regulations; and

any other information that the College deems may assist it in carrying out its objects.

17.2.2 Every applicant for a Certificate of Accreditation shall provide such additional information as the College requests or requires pursuant to the *Drug and Pharmacies Regulation Act* Regulations.

17.2.3 Every applicant for a Certificate of Accreditation shall, on or before the day the person commences to operate the pharmacy, notify the College of the name of the Designated Manager or Contact Person of the pharmacy, as applicable.

17.2.4 Where any of the information that an applicant has provided to the College under subparagraph 17.2.1, 17.2.2 or 17.2.3 has changed, the applicant or Owner, as applicable, of the pharmacy shall provide notification of the change to the College within thirty (30) days of its effective date.

17.3 Filing of Information by Pharmacies.

17.3.1 In connection with the annual renewal of a Certificate of Accreditation, every Owner of a pharmacy shall provide the following information respecting the pharmacy to the College:

(a) the full name of the Owner of the pharmacy and, where the Owner is a corporation, the full name and residential addresses of the directors and officers of the corporation and the corporation number;

(b) where the Owner is:

(i) a corporation or partnership, the business address of the corporation or partnership; or

(ii) an individual, the home address of the individual;

(c) the name by which the pharmacy is known to the public;

(d) the location of the pharmacy;

(e) such additional information as the College requires in its application form for renewal of a Certificate of Accreditation, or as the College otherwise requests or requires pursuant to the *Drug and Pharmacies Regulation Act* Regulations; and
(f) any other information that the College deems may assist it in carrying out its objects.

17.3.2 Where any of the information that an Owner of a pharmacy has provided to the College under subparagraph 17.3.1 has changed, the Owner of the pharmacy shall provide notification of the change to the College within thirty (30) days of its effective date.

17.3.3 In addition to the requirements in subparagraphs 17.3.1 and 17.3.2, every Owner of a pharmacy shall comply, within the time stipulated by the Registrar, with all requests by the Registrar for the provision of any information or documentation that the Owner of the pharmacy is required to provide to the College pursuant to the By-Laws, the Drug and Pharmacies Regulation Act or the Drug and Pharmacies Regulation Act Regulations.

17.4 Filing of Information for Closing Pharmacies.

17.4.1 Subject to subparagraph 17.4.2, every person who permanently closes a pharmacy, shall, within seven (7) days of closing the pharmacy, notify the Registrar of the closing and within thirty (30) days of the closing shall file with the Registrar a signed statement setting out:

(a) the date of closing;

(b) the disposition of the drugs in stock in the pharmacy at the time of closing;

(c) the disposition of the prescription files, drug registers and other records required to be kept under the Drug and Pharmacies Regulation Act or the Drug and Pharmacies Regulation Act Regulations; and

(d) the date on which all signs and symbols relating to the practice of pharmacy either within or outside the premises were removed.

17.4.2 Where a person permanently closes a remote dispensing location, the signed statement referred to in subparagraph 17.4.1 need only set out the information in subparagraph 17.4.1(a) and (d).

17.5 Filing of Information by Health Profession Corporations.

17.5.1 The College shall forward to each Health Profession Corporation each year, in a form approved by the Registrar, a request for such information as the Health Profession Corporation is required to provide to the Registrar pursuant to applicable statutes and regulations.

17.5.2 Every Health Profession Corporation shall fully and accurately respond to the request for information and shall submit the information to the College, in
the required form, by the tenth day of March next following the forwarding of the request for information to the Health Profession Corporation.

17.5.3 Where any information that a Health Profession Corporation has provided to the College in response to a request under subparagraph 17.5.1 has changed, the Health Profession Corporation shall notify the College of the change within thirty (30) days of its effective date.

17.5.4 Despite subparagraph 17.5.3, a Health Profession Corporation shall notify the Registrar within ten (10) days of a change in the shareholders of the corporation.

17.5.5 In addition to the requirements in subparagraphs 17.5.2, 17.5.3 and 17.5.4, a Health Profession Corporation shall comply, within the time stipulated by the Registrar, with all requests by the Registrar for the provision of any information or documentation that is required to be contained in the Register, or that the Health Profession Corporation is required to provide to the College, pursuant to applicable statutes or regulations or the By-Laws.

ARTICLE 18
CHANGE OF CONTROL

18.1 Change of Control.

18.1.1 In the event that a Registrant engages in or supervises drug preparation activities at or in connection with a Drug Preparation Premises, the Registrant must notify the College in the event that the Registrant becomes aware that a Change of Control has occurred in respect of such Drug Preparation Premises.

18.1.2 When used herein, the term “Change of Control” in respect of a Drug Preparation Premises means:

(a) any transfer of all or substantially all of the assets of the owner of the Drug Preparation Premises;

(b) any transfer of all or substantially all of the assets used in the operation of the Drug Preparation Premises;

(c) any change in ownership of more than fifty percent (50%) of the shares of the owner of the Drug Preparation Premises;

(d) any amalgamation, merger or consolidation of the owner of the Drug Preparation Premises with another entity;

(e) any governance reorganization causing a change in fifty percent (50%) or more of the members of the board of directors of the owner of the Drug Preparation Premises; and
(f) any dissolution, liquidation or winding-up of the owner of the Drug Preparation Premises,

in each case, by way of one (1) or a series of related transactions.

ARTICLE 19
REGISTRANT FEES

19.1 Application and Issuance Fees

19.1.1 Every person, other than a person who already holds a Certificate of Registration, who wishes to apply for a Certificate of Registration of any class, shall pay an initial application fee due and payable immediately upon the College opening a registration file for such person.

19.1.2 Every applicant for a Certificate of Registration of any class shall pay an application fee, due and payable upon the applicant submitting his or her completed application to the Registrar.

19.1.3 Every successful applicant for a Certificate of Registration shall pay an issuance fee which is the applicable annual fee.

19.2 Examination Fee.

An applicant for a Certificate of Registration who wishes to write the examination in pharmaceutical jurisprudence approved by the College shall pay an examination fee.

19.3 Annual Fees.

19.3.1 Every person who holds a Certificate of Registration as a pharmacist or pharmacy technician shall pay an annual fee, except that in the year in which the person is first registered as a pharmacist or pharmacy technician, if the Certificate of Registration is issued on or after September 1, the fee will be fifty percent (50%) of the annual fee for that year.

19.3.2 The annual fee must be paid on or before March 10, except that in the year in which a person is first registered, if the Certificate of Registration is issued after March 10, the annual fee must be paid on the date the person is registered.

19.3.3 No later than thirty (30) days before the annual fee is due, the Registrar shall notify the Registrant of the amount of the fee and the day on which the fee is due.

19.3.4 A Registrant who fails to pay an annual fee on or before the day on which the fee is due shall pay a penalty in addition to the annual fee.

19.4 Fee to Lift Suspension or for Reinstatement.
Where a Registrant’s Certificate of Registration has been suspended by the Registrar for failing to pay a required fee, the fee that the Registrant shall pay for the lifting of the suspension shall be: (a) the fee the Registrant failed to pay; (b) the annual fee for the year in which the suspension is to be lifted, if the Registrant has not already paid it; and (c) a penalty.

Where a Registrant’s Certificate of Registration has been suspended by the Registrar pursuant to the Pharmacy Act Regulations, the fee that the Registrant shall pay for the lifting of the suspension shall be: (a) the annual fee for the year in which the suspension is to be lifted, if the Registrant has not already paid it; and (b) a penalty.

A Registrant shall pay a reinstatement fee for the reinstatement of his or her Certificate of Registration.

**19.5 Other Fees.**

Where a person requests the Registrar to do anything that the Registrar is required or authorized to do, the person shall pay the fee set by the Registrar for doing so.

Where, pursuant to the Pharmacy Act Regulations, a Registrant:

(a) has undertaken remediation by order of the Quality Assurance Committee;

(b) undergoes a practice review by an assessor after the remediation, and is found by the Quality Assurance Committee to continue to have a deficiency in his or her knowledge, skills or judgment that requires correction; and

(c) is ordered by the Quality Assurance Committee to undertake a further remediation and a further practice review by an assessor after the further remediation, the Registrant shall pay a fee for each such further practice review by an assessor, and for any additional practice reviews that the Registrant undertakes thereafter.

An applicant required to undertake the Practice Assessment of Competence at Entry (PACE) a third and/or subsequent time shall pay a fee for such assessment(s).

Registrants who engage in, or supervise, drug preparation activities at a Drug Preparation Premises shall, jointly and severally, be required to pay a fee for the inspection of the Drug Preparation Premises pursuant to the Pharmacy Act Regulations, including all activities related to the inspection.
ARTICLE 20
PHARMACY TRANSACTION FEES

20.1 Application Fee.

20.1.1 Subject to subparagraph 20.1.2, an applicant for a Certificate of Accreditation to establish and operate a pharmacy of the community pharmacy class or hospital pharmacy class shall pay an application fee, due and payable upon the applicant submitting a completed application to the Registrar.

20.1.2 Where an applicant who has acquired two (2) or more existing pharmacies of the community pharmacy class or hospital pharmacy class, applies for Certificates of Accreditation to establish and operate the pharmacies, the applicant shall pay an application fee for the first application and for each additional application.

20.2 Issuance Fee.

20.2.1 Every successful applicant for a Certificate of Accreditation of the community pharmacy class and the hospital pharmacy class shall pay an issuance fee.

20.2.2 Every successful applicant for a Certificate of Accreditation to establish and operate a community pharmacy that permits the operation of remote dispensing locations shall pay an issuance fee. The fee will apply for each remote dispensing location to be operated, except that there will be no additional fee for the issuance of a Certificate of Accreditation that permits the operation of remote dispensing locations if the Certificate of Accreditation is issued to an applicant who has acquired or relocated an existing community pharmacy that permits the operation of remote dispensing locations.

20.2.3 An applicant who has acquired or relocated an existing pharmacy shall pay an issuance fee for a Certificate of Accreditation to establish and operate a pharmacy.

20.3 Fee for Amended Certificates - Remote Dispensing Locations.

20.3.1 Every person who seeks to amend a Certificate of Accreditation to permit the operation of remote dispensing locations or additional remote dispensing location(s) shall pay an application fee for each remote dispensing location or additional remote dispensing location that is to be operated.

20.3.2 Every successful applicant for an amended Certificate of Accreditation to permit the operation of remote dispensing locations or additional remote dispensing location(s) shall pay an issuance fee for each remote dispensing location or additional remote dispensing location that is to be operated.
20.3.3 For greater certainty, subparagraphs 20.3.1 and 20.3.2 will only apply with respect to the issuance of a Certificate of Accreditation of the community pharmacy class.

20.4 Renewal Fee.

Every person who holds a Certificate of Accreditation of the community pharmacy class or a Certificate of Accreditation of the hospital pharmacy class shall pay the applicable renewal fee on or before May 10 each year.

20.5 Additional Renewal Fee.

An additional renewal fee will apply, and be due and payable on or before May 10 each year, for the renewal of a Certificate of Accreditation for each pharmacy that, within the twelve (12) months prior to the renewal, has undergone a re-inspection as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection. The additional renewal fee will apply for each re-inspection but will not apply where the re-inspection was pursuant to an order of the Discipline Committee.

ARTICLE 21
CERTIFICATE OF AUTHORIZATION FEES

21.1 Application Fee.

An applicant for a Certificate of Authorization for a Health Profession Corporation shall pay an application fee.

21.2 Renewal Fee.

21.2.1 Every Health Profession Corporation that holds a Certificate of Authorization shall pay the applicable renewal fee each year.

21.2.2 The renewal fee for a Certificate of Authorization must be paid on or before March 10 each year.

21.2.3 No later than thirty (30) days before the annual renewal fee is due, the Registrar shall notify the Health Profession Corporation of the amount of the fee and the day on which it is due.

21.2.4 A Health Profession Corporation that fails to pay a renewal fee on or before the day on which the fee is due shall pay a penalty in addition to the renewal fee.

ARTICLE 22
APPLICATION OF FEES

22.1 Application of Fees
22.1.1 Unless otherwise indicated, the fees and penalties set out in Article 19, Article 20, Article 21 and Schedule D shall be effective as of the date set out in Schedule D.

22.1.2 The fees and penalties prescribed in Article 19, Article 20 and Article 21 are set out in Schedule D. All fees and penalties are subject to applicable taxes, which are payable in addition to the fees and penalties.

22.1.3 On January 1 of each year commencing in 2021, each fee prescribed in Article 19, Article 20, and Article 21, and listed in Schedule D, will be increased by the percentage increase, if any, in the consumer price index for goods and services in Canada as published by Statistics Canada or any successor organization.

**ARTICLE 23
codes of ethics and conduct**

23.1 **Code of Ethics.**

There shall be a Code of Ethics for Registrants, which is Schedule A to this By-Law.

23.2 **Code of Conduct.**

There shall be a Code of Conduct for Directors and Committee members, which is Schedule B to this By-Law.

**ARTICLE 24
making, amending and revoking by-laws**

24.1 **Requirements.**

24.1.1 By-Laws may be made, repealed or amended by at least two-thirds of all Directors present at a meeting of the Board and eligible to vote.

24.1.2 Amendments may be proposed by not fewer than three (3) Directors or by the Executive Committee.

24.1.3 Proposed amendments shall be sent to the Registrar thirty (30) days in advance of the meeting at which the amendments will be voted on by the Directors.

24.1.4 The Registrar shall, at least two (2) weeks before the meeting at which the amendments are to be considered, notify all Directors of the proposed amendments.

24.2 **Repeal of Former By-Laws.**

Subject to subparagraph 5.3.1 and subparagraph 5.3.2, the repeal of any By-Law in whole or part shall not in any way affect the validity of any act done or right, privilege,
obligation or liability acquired or incurred thereunder or the validity of any contract or agreement made pursuant to any such By-Law prior to such repeal. All Directors and other persons acting under any By-Law so repealed in whole or in part shall continue to act as if elected or appointed under the provisions of this By-Law.

24.3 Effective Date.

This By-Law shall come into force and effect on the date that it is approved by the Board. Upon this By-Law coming into force and effect, By-Law No. 5 shall hereby be repealed.

24.4 Conflict.

If any By-Law is, at any time, found to be in conflict with the Act or the Pharmacy Act or the Drug and Pharmacies Regulation Act, it will, to the extent of such conflict, be disregarded in favour of the Act or the Pharmacy Act or the Drug and Pharmacies Regulation Act, as the case may be, and the Registrar shall, upon discovery of such conflict, prepare, for consideration by the Board, a proposed amendment, alteration or repeal of the offending By-Law which shall have the effect of removing from the By-Law anything inconsistent with any such Act.

PASSED by the Board and sealed with the corporate seal of the College the ______________, ______.

______________________________
Chair
(Corporate Seal)

______________________________
Vice-Chair
SCHEDULE A

Ontario College of Pharmacists
Code of Ethics

Role and Purpose of the Code of Ethics

One of the objects of the Ontario College of Pharmacists (OCP, the College), as outlined in the Regulated Health Professions Act, Schedule 2, Health Professions Procedural Code is to “develop, establish and maintain standards of professional ethics for members” of the profession.

The role and purpose of OCP’s Code of Ethics is to clearly articulate the ethical principles and standards which guide the practice of pharmacists and pharmacy technicians in fulfilling the College’s mandate to serve and protect the public by putting patients first.

Specifically, OCP's Code of Ethics supports the College in fulfilling its mandate by:

- Clearly articulating the ethical principles and standards by which pharmacists and pharmacy technicians are guided and under which they are accountable
- Serving as a resource for education, self-evaluation and peer review
- Serving as an educational resource for the public outlining the ethical obligations of the profession
- Providing a benchmark for monitoring and addressing the conduct of pharmacists and pharmacy technicians

Who does the Code of Ethics Apply to?

The Code of Ethics applies to all registrants of the College, in accordance with their scope of practice, including registered pharmacists, interns, intern technicians and pharmacy technicians. The Code of Ethics is also relevant to all those who aspire to be registrants of the College.

The Code of Ethics is applicable in all pharmacy practice, education and research environments including non-traditional practice settings which may not involve a healthcare professional/patient relationship.

All registrants are responsible for applying the Code of Ethics requirements in the context of their own specific professional working environments.

Compliance with the Code of Ethics

The Standards listed in OCP’s Code of Ethics are not intended to provide an exhaustive or definitive list of ethical behaviours and attitudes required of registrants. Registrants do not justify unethical behaviour by rationalizing that such behaviour is not expressly prohibited in a Standard of this Code.
- The College holds registrants accountable for adhering to the Code of Ethics and will inquire into allegations of a breach of the Code of Ethics and take appropriate action(s) in relation to the severity of the breach.

The Code of Ethics, Standards of Practice and all relevant legislation, policies and guidelines are companion documents and none of these should be read or applied in isolation of the other(s). It is not unusual for there to be duplication within these documents as requirements may be both ethical and legal.

All registrants of the College are required to affirm their understanding of and commitment to OCP’s Code of Ethics by signing the Declaration of Commitment.

**Understanding the Professional Role and Commitment of Healthcare Professionals**

The most important feature or characteristic that distinguishes a healthcare professional from another type of professional is that: healthcare professionals are committed, first and foremost, to the direct benefit of their patients and only secondarily to making a profit. Pharmacists and pharmacy technicians are healthcare professionals.

**What does being a healthcare professional require of pharmacists and pharmacy technicians?**

In choosing to become a pharmacist or pharmacy technician we acknowledge our understanding and commitment to the professional role, recognizing it is not about us – our own personal or business interests – it is about the patient.

We appreciate that our patients are vulnerable and may often be limited by personal and circumstantial factors which enhance and reinforce this vulnerability and that inherent within the healthcare professional/patient relationship there is an imbalance of power with the healthcare professional holding that power.

Patients trust that as healthcare professionals we will respect and protect their vulnerability and maintain professional boundaries within the healthcare professional/patient relationship as we use our knowledge, skills and abilities to make decisions that enhance their health and well-being.

**Where does this obligation come from?**

When we become a regulated healthcare professional we implicitly enter into what is commonly referred to as a “social contract with society”.

This contract requires that we keep our promise to act in the best interest of our patients and place their well-being first and foremost. It requires that we recognize and remember that we have not simply chosen a profession but also a vocation, committing ourselves to help and benefit those entrusted to our care in a spirit of altruism, goodwill, sincerity and integrity.

In exchange for our promise society agrees to provide our profession with the autonomy to govern ourselves as a self-regulating profession with all the privileges and statuses afforded regulated healthcare professionals.
Ethical Principles that Govern Healthcare Practice

In fulfilling our professional promise to our patients and to society, healthcare professionals are guided by the following ethical principles of healthcare:

Beneficence (to benefit):

The first foundational principle that forms and guides our commitment to serve and protect the best interests of our patients establishes the fact that our primary role and function as healthcare professionals is to benefit our patients. We need to remember that our patients seek our care and services because they believe and trust that we will apply our knowledge, skills and abilities to help make them better.

Non maleficence (do no harm, and prevent harm from occurring):

The second foundational principle that guides our commitment to serve and protect the best interests of our patients addresses the reality that as we strive to benefit our patients we must be diligent in our efforts to do no harm and, whenever possible, prevent harm from occurring.

Respect for Persons/Justice:

The third foundational principle merges the principles of “Respect for Persons” and “Justice” which collectively guide our understanding of how we ought to treat our patients. Respect for persons acknowledges that all persons, as a result of their intrinsic humanity, are worthy of our respect, compassion and consideration. We demonstrate this when we respect our patients’ vulnerability, autonomy and right to be self-governing decision-makers in their own healthcare. The principle of “Justice” requires that we fulfill our ethical obligation to treat all patients fairly and equitably.

Accountability (Fidelity):

The fourth and final foundational principle directly ties us to our professional promise to be responsible fiduciaries of the public trust ensuring that we keep our promise to our patients and society to always and invariably act in their best interests and not our own. It is this principle that holds us accountable, not just for our own actions and behaviours, but for those of our colleagues as well.

Code of Ethics and Standards of Application

The Ontario College of Pharmacists Code of Ethics is founded on the core ethical principles of healthcare: beneficence, non-maleficence, respect for persons/justice and accountability (fidelity). Code requirements are articulated in the form of guiding ethical principles, general statements of application and standards that specify the behaviours and attitudes that are required of all registrants of the College as regulated healthcare professionals.

1. Principle of Beneficence

The ethical principle of “Beneficence” refers to the healthcare professional’s obligation to actively and positively serve and benefit the patient and society.
Application

Pharmacists and pharmacy technicians serve and benefit the patient and society’s best interests.

Standards

1.1 Registrants ensure that their primary focus at all times is the well-being and best interests of the patient.

1.2 Registrants utilize their knowledge, skills and judgment to actively make decisions that provide patient-centred care and optimize health outcomes for patients.

1.3 Registrants apply therapeutic judgment in order to assess the appropriateness of current or proposed medication therapy given individual patient circumstances.

1.4 Registrants seek information and ask questions of patients or their advocate to ascertain if the current or proposed medication provides the most appropriate therapy for the patient.

1.5 Registrants ensure that they consider relevant factors such as; age, mental capacity, lifestyle and living circumstances of the patient and adapt and tailor provision of care accordingly.

1.6 Registrants provide patients with the relevant and sufficient information they need in order to make more informed decisions about their healthcare.

1.7 Registrants ensure that information provided to patients is current and consistent with the standards of practice of the profession and best available evidence.

1.8 Registrants consider and take steps, when possible, to address factors that may be preventing or deterring patients from obtaining the pharmacy care or services required or from achieving the best possible health outcome.

1.9 Registrants prioritize care and services and provide adequate time to ensure that complex patients receive the care they need.

1.10 Registrants participate in consultation, communication and documentation with colleagues or other healthcare professionals to facilitate quality patient care.

1.11 Registrants make every reasonable effort to provide quality cost-effective pharmacy care and services to patients and society.

1.12 Registrants participate as appropriate and viable in public education programs that promote health and wellness and disease prevention.

1.13 Registrants strive to contribute to the development of the profession by participating in the education and mentoring of pharmacy students and interns, pharmacists and pharmacy technicians.
1.14 Registrants, within their roles and expertise, strive to conduct, participate in or promote appropriate research practices that advance pharmacy knowledge and practice.

1.15 Registrants ensure that when conducting and/or participating in research initiatives they are scientifically and ethically approved by a research ethics board that meets current ethical research standards.

1.16 Registrants strive to facilitate positive change in the healthcare system by actively participating in healthcare policy review and development as it applies to the practice of pharmacy.

2. **Principle of Non Maleficence**

The ethical principle of “Non Maleficence” refers to the healthcare professional’s obligation to protect their patients and society from harm.

**Application**

Pharmacists and pharmacy technicians refrain from participating in behaviours that may harm patients or society and whenever possible prevent harm from occurring.

**Standards**

2.1 Registrants refrain from participating in behaviours/attitudes which could potentially result in harm and utilize their professional judgment to make every reasonable and conscientious effort to prevent harm to patients and society.

2.2 Registrants practise only within their scope of practice, recognize their limitations and when necessary, refer the patient to a colleague or other healthcare professional whose expertise can best address the patient’s needs.

2.3 Registrants disclose medical errors and “near misses” and share information appropriately to manage risk of future occurrences.

2.4 Registrants act with honesty and transparency if harm does occur and assume responsibility for disclosing this harm to the patient and initiating steps to mitigate the harm.

2.5 Registrants challenge the judgment of their colleagues or other healthcare professionals if they have good reason to believe that their decisions or actions could adversely affect patient care.

2.6 Registrants provide the patient with relevant and sufficient information regarding the potential harms identified in terms of risks and the most frequent and serious side effects associated with the medication therapy or pharmacy service.

2.7 Registrants ensure that when they are involved in the patient’s transition from one healthcare provider or healthcare facility to another the relevant patient
information is provided to the receiving healthcare provider or healthcare facility to ensure safe and effective transition of care.

2.8 Registrants provide only medications and health-related products that are from safe and proven sources, of good quality, and meet the standards required by law.

2.9 Registrants respect the patient’s right to privacy and confidentiality and take every reasonable precaution to protect patient confidentiality by preventing unauthorized or accidental disclosure of confidential patient information.

2.10 Registrants ensure that the healthcare professional/patient relationship is not exploited by the registrant for any personal, physical, emotional, financial, social or sexual gain.

2.11 Registrants do not under any circumstances participate in sexual behaviour including, but not limited to:

(i) Sexual intercourse or other forms of sexual relations between the registrant and the patient;

(ii) Touching of a sexual nature, of the patient by the registrant; or

(iii) Behaviour or remarks of a sexual nature, by the registrant towards the patient.

2.12 Registrants do not under any circumstances participate in any form of harassment including, but not limited to:

(i) Bullying or intimidating;

(ii) Offensive jokes or innuendos;

(iii) Displaying or circulating offensive images or materials; or

(iv) Offensive or intimidating communications (phone calls, emails, text messages, etc.).

2.13 Registrants must, in circumstances where they are unwilling to provide a product or service to a patient on the basis of moral or religious grounds, ensure the following:

(i) that the registrant does not directly convey their conscientious objection to the patient;

(ii) that the registrant participates in a system designed to respect the patient’s right to receive products and services requested;
that there is an alternative provider available to enable the patient to obtain
the requested product or service, which minimizes inconvenience or
suffering to the patient.

2.14 Registrants may only consider ending the professional/patient relationship when the registrant has met the following conditions:

(i) In his/her judgement the professional/patient relationship is compromised and/or issues cannot be resolved;

(ii) Considers the condition of the patient;

(iii) Considers the availability of alternative services; and

(iv) Provides the patient with notice and sufficient opportunity to arrange alternate services.

2.15 Registrants assume responsibility for making reasonable efforts to ensure continuity of patient care when they are unable or unwilling to provide requested pharmacy services.

2.16 Registrants in emergency situations, including pandemics and other public health emergencies where the health of the patient or the public is at risk, have a duty to provide patient care within their professional competence and expertise.

2.17 Registrants maintain appropriate human resources to facilitate compliance with Standards of Practice and relevant legislation, policies and guidelines governing the practice of pharmacy and the operation of pharmacies to ensure that professional performance and the health of others in the work place are not compromised.

2.18 Registrants raise concerns to the appropriate authority if they reasonably believe human resources, policies, procedures, working conditions or the actions, professional performance or health of others may compromise patient care or public safety.

2.19 Registrants assign tasks only to those individuals who are competent and trained to do them.

2.20 Registrants ensure that they remain current with respect to professional knowledge and skills and are committed to continuous lifelong learning and professional improvement throughout their professional working life.

3. **Principle of Respect for Persons/Justice**

The ethical principle of Respect for Persons/Justice refers to the healthcare professional’s dual obligations to respect and honour the intrinsic worth and dignity of every patient as a human being and to treat all patients fairly and equitably.
Application

Pharmacists and pharmacy technicians respect their patients as self-governing decision-makers in their healthcare and treat all patients fairly and equitably.

Standards

3.1 Registrants recognize and respect the vulnerability of patients.

3.2 Registrants respect and value the autonomy and dignity of patients.

3.3 Registrants practise patient-centred care and treat patients with sensitivity, caring, consideration and respect.

3.4 Registrants listen to patients to seek understanding of their needs, values and desired health goals and respect their right to be an active decision-maker in their healthcare.

3.5 Registrants respect the patient’s values, customs and beliefs and their right to hold these as self-governing decision-makers.

3.6 Registrants respect the patient’s right to privacy and do not disclose confidential information without the consent of the patient unless authorized by law or by the need to protect the welfare of the patient or the public.

3.7 Registrants seek only that information that is reasonable to make informed decisions about the patient’s health and the treatment alternatives that align with the patient’s treatment goals, unless otherwise authorized by law.

3.8 respect the patient’s right to accept or refuse treatment and/or services offered, without prejudice.

3.9 Registrants respect the patient’s right to choose a pharmacy and/or pharmacy professional and facilitate the patient’s wish to change or transfer pharmacy care and services as requested.

3.10 Registrants obtain the patient’s consent, implied or expressed, prior to the provision of pharmacy care or services.

3.11 Registrants respect the right of a competent minor to provide informed consent and make decisions about their healthcare.

3.12 Registrants recognize and respect the right of a legally authorized substitute decision-maker to make decisions on the incompetent patient’s behalf.

3.13 Registrants recognize the known wishes/intentions of a patient who is not competent where those wishes/intentions, through a personal directive, were expressed before the person became incompetent.
3.14 Registrants ensure that their views about a patient’s personal life, religious beliefs, and other morally irrelevant factors such as: race, gender, identity, sexual orientation, age, disability, marital status and any other factor(s), do not prejudice their opinion of the patient and affect the quality of service that they provide to the patient.

3.15 Registrants recognize the power imbalance inherent in the healthcare professional/patient relationship and assume responsibility for maintaining appropriate professional boundaries at all times.

3.16 Registrants provide fair and equitable access to pharmacy services and deliver consistent quality of care to all patients regardless of socio-economic status, culture, disease state or any other related factor that might unfairly bias patient care.

3.17 Registrants advocate for the fair treatment and fair distribution of resources for those in their care.

3.18 Registrants make fair decisions about the allocation of resources under their control based on the needs of persons, groups or communities to whom they are providing care and services.

4. Principle of Accountability (Fidelity)

The ethical principle of Accountability (Fidelity) refers to the healthcare professional’s fiduciary duty to be a responsible and faithful custodian of the public trust.

Application

Pharmacists and pharmacy technicians maintain the public trust by ensuring that they act in the best interest of their patients and society.

In order to fulfill their fiduciary duty to maintain the public trust:

A. Registrants practise within their scope of practice, in accordance with their Code of Ethics, Standards of Practice and all relevant legislation, policies and guidelines and only when competent to do so.

B. Registrants refrain from participating in unethical business practices.

C. Registrants avoid conflict of interest.

Standards

A. General Responsibilities

4.1 Registrants abide by the spirit of this Code which applies to the practice of the profession of pharmacy and the operation of pharmacies.
4.2 Registrants conduct themselves with personal and professional integrity at all times and ensure that they demonstrate good character and maintain good standing with the College.

4.3 Registrants ensure that they only practise when they are competent, with respect to both relevant knowledge and skill and physical, emotional and mental capacity, to do so.

4.4 Registrants assume responsibility for all decisions and actions they undertake in professional practice, including failure to make a decision and take appropriate action when necessary.

4.5 Registrants do not perform controlled acts under their scope of practice for an unethical or illegal purpose.

4.6 Registrants ensure that all professional documentation is accurately maintained in accordance with practice standards.

4.7 Registrants maintain confidentiality in creating, storing, accessing, transferring and disposing of records they maintain and control.

4.8 Registrants understand that their trust in the care provided by colleagues and other healthcare professionals must be balanced with critical evaluation.

4.9 Registrants must be diligent in identifying and responding to red flag situations that present in practice.

4.10 Registrants report professional incompetence or unethical behaviour by colleagues or other healthcare professionals to the appropriate regulatory authority.

4.11 Registrants take appropriate steps to prevent and report the misuse or abuse of substances by themselves, patients, colleagues, other healthcare professionals or other pharmacy employees.

4.12 Registrants do not practise under conditions which compromise their professional judgment and impede their ability to provide quality patient care and services.

4.13 Registrants participate in responsible and ethical communication and ensure that any comments or images communicated are not offensive and do not in any manner discredit the member or the profession.

4.14 Registrants ensure that when power imbalances exist in professional working relationships they do not exploit these relationships for personal, physical, emotional, financial, social or sexual gain.

4.15 Registrants co-operate in any inspection, assessment, review or audit conducted by the College or any other authorized person or organization and abide by any undertakings or restrictions placed on their practice as result of an investigation.
4.16 Registrants recognize that self-regulation of the profession is a privilege and that each pharmacist and pharmacy technician has a professional responsibility to merit this privilege by maintaining public trust and confidence in each registrant individually and the profession as a whole.

B. Participate in Ethical Business Practices

4.17 Registrants recognize that their patient’s best interests must always override their own interests or the interests of the business which the registrant owns, has a financial interest in or is employed by.

4.18 Registrants only provide pharmacy care and services that are of good quality and intended to optimize the patient’s health outcomes and do not compromise patient care for corporate or business interests or financial gain.

4.19 Registrants shall not provide pharmacy services, care or products where there is no potential benefit to the patient.

4.20 Registrants do not influence, persuade or pressure patients to accept pharmacy services in order to retain the patient’s business.

4.21 Registrants shall not compromise their professional integrity in order to further institutional or business interests and promote financial gain to the detriment of the patient and public interest.

4.22 Registrants are honest in dealings with patients, colleagues, other healthcare professionals, the College, other organizations, service suppliers, and public or private payers related to the practice of the profession and to the operation of the pharmacy.

4.23 Registrants are transparent in the fees that they charge and ensure that these are communicated to patients in advance of the provision of the service or product provided.

4.24 Registrants do not submit charges to patients or to any third party drug payment plan for services that they know or ought to know are false and fraudulent.

4.25 Registrants do not participate in any practice that involves falsifying patient health records or registrant practice records.

4.26 Registrants must ensure that they do not participate in any form of advertising or promotion that contravenes this Code, Standards of Practice or relevant legislation, policies or guidelines, reflects poorly on the profession or breaches public trust and confidence.

C. Avoid Conflict of interest
Registrants need to proceed with caution and conscientiously exercise professional judgment in dealing with conflict of interest situations which they may encounter in practice but which are not explicitly addressed below.

4.27 Registrants avoid situations that are or may reasonably be perceived to construe a conflict of interest.

4.28 Registrants avoid dual relationships and other situations which may present a conflict of interest and potentially affect the registrant’s ability to be impartial and unbiased in their decision-making.

4.29 Registrants declare any personal or professional interests and inform the relevant party(s) if they are involved in a real, perceived or potential conflict of interest and resolve the situation in the best interests of the patient and public safety as soon as possible.

4.30 Registrants involved in decision-making must disclose any relationship they are involved in that may influence or appear to others to influence their objectivity.

4.31 Registrants enter into relationships with industry which are appropriate and in compliance with this Code and which allow them to maintain their professional integrity and retain public trust and confidence.

4.32 Registrants do not provide rewards or incentives that have the potential to adversely influence patient decisions which may result in harm to the patient.

4.33 Registrants do not ask for or accept gifts, inducements or referrals that may affect or be perceived to affect their professional judgment.

4.34 Registrants ensure that they do not participate in referral programs with other Registrants or with members of other healthcare professions for the expressed purpose of benefiting financially.

4.35 Registrants limit their treatment of self and the members of their immediate family to minor conditions and emergency circumstances unless another appropriate healthcare professional is not readily available.
SCHEDULE B

THE “CODE OF CONDUCT” FOR DIRECTORS AND COMMITTEE MEMBERS

Directors and members of Committees shall,

(a) be familiar and comply with the provisions of the Regulated Health Professions Act, 1991, the Health Professions Procedural Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act and their regulations, and the by-laws and policies of the College;

(b) be prepared to participate in Board meetings and Committee work including reading background materials and briefing documents;

(c) diligently take part in Committee work and actively serve on Committees as appointed by the Board;

(d) regularly attend meetings on time and participate constructively in discussions;

(e) offer opinions and express views on matters before the College, Board and Committee, when appropriate;

(f) participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of Directors and Committee members;

(g) uphold the decisions made by a majority of the Board and Committees, regardless of the level of prior individual disagreement;

(h) place the interests of the College, Board and Committee above other interests;

(i) avoid and, where that is not possible, declare any appearance of or actual conflicts of interest and remove oneself from discussing or voting on any issue where there is a conflict of interest;

(j) refrain from including or referencing Director or Committee titles or positions held at the College in any personal or business promotional materials, advertisements and business cards (although referencing one’s titles or positions held at the College in one’s curriculum vitae is acceptable so long as the curriculum vitae is not overtly used in a promotional manner);

(k) preserve confidentiality of all information before the Board or Committee unless disclosure has been authorized by the Board or is otherwise exempted under the RHPA (e.g., it is already in the public domain);

(l) refrain from attempting to influence a statutory decision unless one is a member of a panel of the Committee or, where there is no panel, of the Committee dealing with the matter;
(m) respect the boundaries of staff whose role is not to report to or work for individual Directors or Committee members including not contacting staff members directly, except on matters where the staff member has been assigned to provide administrative support to that Committee or the Board or where otherwise appropriate; and

(n) be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment.
SCHEDULE C
RULES OF ORDER OF THE BOARD

1. Each agenda topic shall be introduced briefly by the person or Committee representative raising it. Directors may ask questions of clarification, then the person introducing the matter shall make a motion and another Director must second the motion before it can be debated.

2. When any Director wishes to speak, he or she shall so indicate by raising his or her hand and shall address the presiding officer and confine himself or herself to the matter under discussion.

3. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to answer specific questions about the matter.

4. Observers at a Board meeting are not allowed to speak to a matter that is under debate.

5. A Director may not speak again on the debate of a matter until every other Director who wishes to speak to it has been given an opportunity to do so. The only exception is that the person introducing the matter or a staff person may answer questions about the matter. Director shall not speak to a matter more than twice without the permission of the presiding officer.

6. No Director may speak longer than five (5) minutes upon any motion except with the permission of the Board.

7. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Board meeting or to refer the motion to a Committee.

8. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.

9. When it appears to the presiding officer that the debate on a matter has concluded, when the Board has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the presiding officer shall put the motion to a vote.

10. When a matter is being voted on, no Director shall enter or leave the Board room, and no further debate is permitted.

11. No Director is entitled to vote upon any motion in which he or she has a conflict of interest, and the vote of any Director so interested shall be disallowed.

12. Any motion decided by the Board shall not be re-introduced during the same meeting except by a two-thirds vote of the Director then present and eligible to vote.
13. Whenever the presiding officer is of the opinion that a motion offered to the Board is contrary to these rules or the by-laws, he or she shall rule the motion out of order and give his or her reasons for doing so.

14. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Board without debate.

15. The above rules may be relaxed by the presiding officer if it appears that greater informality is beneficial in the particular circumstances, unless the Board requires strict adherence.

16. Directors are not permitted to discuss a matter with observers while it is being debated including during any recess of the debate.

17. Directors and others present in the room shall turn off cell phones or put them on vibrate during Board meetings and, except during a break in the meeting, shall not use a cell phone, blackberry or other electronic device. Laptops and tablets may only be used during Board meetings to review materials related to the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.

18. Directors shall be silent while others are speaking except to bring a permissible motion.

19. In all cases not provided for in these rules or by other rules of the Board, the current edition of “Robert’s Rules of Order” shall be followed so far as they may be applicable.

20. These Rules shall apply, with necessary modifications, to meetings conducted by teleconference or any other electronic means permitted by the by-laws, including audio or video conferencing.
SCHEDULE D

SCHEDULE OF FEES

[See attached]
## Application Fee (includes Opening, Relocating, Acquisition and Amalgamation)

| Application Fee - Payable upon submission of complete application | 625.00 | 81.25 |
| Pharmacist A - New Applicant Registration, Mar 10 to Aug 31 | 675.00 | 87.75 |
| Pharmacist A - New Applicant Registration, Sept 1 to Mar 09 | 337.50 | 43.90 |
| Pharmacist B - New Applicant Registration, Mar 10 to Aug 31 | 337.50 | 43.90 |
| Pharmacist B - New Applicant Registration, Sept 1 to Mar 09 | 169.00 | 21.95 |
| Pharmacy Technician - New Applicant Registration, Mar 10 to Aug 31 | 450.00 | 58.50 |
| Pharmacy Technician - New Applicant Registration, Sept 1 to Mar 09 | 225.00 | 29.25 |

## Renewal Fees:

| Renewal | 4,375.00 | 568.75 |
| Renewal | 750.00 | 97.50 |
| Renewal | 375.00 | 48.75 |
| Renewal | 375.00 | 48.75 |
| Renewal | 188.00 | 24.40 |
| Renewal | 250.00 | 32.50 |

## Application and Issuance Fees

| Application and Issuance Fees | 1,200.00 | 156.00 |
| Reinspection | 1,175.00 | 152.75 |
| Reinspection | 250.00 | 32.50 |
| Reinspection | 250.00 | 32.50 |

## Other Fees:

| Under other circumstances or as a result of extraordinary circumstances | 94.00 | 12.20 |
| Each Practice Assessment After Remediation | 3,125.00 | 406.25 |
| Each Practice Assessment After Remediation | 1,000.00 | 130.00 |
| Each Practice Assessment After Remediation | 1,000.00 | 130.00 |
| Each Practice Assessment After Remediation | 1,000.00 | 130.00 |

## Exemption Fees

| Exemption Fees | 1,000.00 | 130.00 |
| Exemption Fees | 1,000.00 | 130.00 |
| Exemption Fees | 1,000.00 | 130.00 |

## Health Profession Corporation

| Health Profession Corporation | 1,250.00 | 162.50 |
| Health Profession Corporation | 1,250.00 | 162.50 |
| Health Profession Corporation | 375.00 | 48.75 |
| Health Profession Corporation | 94.00 | 12.20 |

## Schedule of Fees

| Schedule of Fees | 2019 Fees | HST | Total with tax | 2020 Fees | HST | Total with tax | Bylaw |
| Schedule of Fees | 2019 Fees | HST | Total with tax | 2020 Fees | HST | Total with tax | Bylaw |
| Schedule of Fees | 2019 Fees | HST | Total with tax | 2020 Fees | HST | Total with tax | Bylaw |
| Schedule of Fees | 2019 Fees | HST | Total with tax | 2020 Fees | HST | Total with tax | Bylaw |

## Council - December 9, 2019

Appendix 11.1 - Draft Bylaw No.6
REMUNERATION AND EXPENSES

1. When they are on official College business, members of Council and Committees, working groups and task forces, other than persons appointed by the Lieutenant Governor in Council, shall be paid the following:
   
   (a) a travel allowance, which shall consist of a rate for distance traveled of 45 cents per kilometer; or air fare, bus or rail fare, plus transportation to and from air, bus or train terminals;
   
   (b) an expense allowance of $300.00 for each day when out of the community in which the Council member resides;
   
   (c) an expense allowance of $210.00 in lieu of the daily allowance described in subparagraph 7.1.1(b), whenever arrival is necessary the night prior to a scheduled meeting;
   
   (d) a daily expense allowance of $165.00 when on College business in the community in which the Council member resides, which amounts include travel allowance.

2. If the Council appoints a Member, other than a Council or Committee member, to represent the College at a meeting or conference, the Member shall be reimbursed for expenses incurred at the rate set out in subparagraph 7.1.1, plus registration fees, if applicable. The Member shall not accept reimbursement for expenses from any other body.

3. An amount in excess of the amounts authorized under subparagraph 7.1.1 may be paid to a Council member or Committee member provided the amount was specifically included in the College budget for the year in which the expenses are incurred, or with the express, prior authorization of the Executive Committee.

Council Resolution Effective: March 23, 2020
ONTARIO COLLEGE OF PHARMACISTS – BY-LAW NO. 56

A by-law relating generally to the conduct of the affairs of the Ontario College of Pharmacists
TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Article</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 1 INTERPRETATION</td>
<td>1</td>
</tr>
<tr>
<td>1.1 Meaning of Words</td>
<td>1</td>
</tr>
<tr>
<td>Article 2 CLASSES OF REGISTRATION</td>
<td>3</td>
</tr>
<tr>
<td>2.1 Prescribed Classes of Registration</td>
<td>3</td>
</tr>
<tr>
<td>Article 3 PROFESSIONAL LIABILITY INSURANCE</td>
<td>3</td>
</tr>
<tr>
<td>3.1 Insurance Requirements for a Certificate of Registration</td>
<td>3</td>
</tr>
<tr>
<td>3.2 Evidence of Insurance</td>
<td>4</td>
</tr>
<tr>
<td>Article 4 RESTRICTION ON COUNCIL MEMBERS</td>
<td>4</td>
</tr>
<tr>
<td>4.1 Restriction on Council Members</td>
<td>4</td>
</tr>
<tr>
<td>Article 5 ELECTION OF COUNCIL MEMBERS</td>
<td>4</td>
</tr>
<tr>
<td>5.1 Electoral Districts K, L, M, N, P</td>
<td>4</td>
</tr>
<tr>
<td>5.2 Electoral District H</td>
<td>4</td>
</tr>
<tr>
<td>5.3 Electoral District T</td>
<td>4</td>
</tr>
<tr>
<td>5.4 Electoral District TH</td>
<td>5</td>
</tr>
<tr>
<td>5.5 Number of Members to be Elected</td>
<td>5</td>
</tr>
<tr>
<td>5.6 Voting Eligibility</td>
<td>5</td>
</tr>
<tr>
<td>5.7 Terms of Office</td>
<td>5</td>
</tr>
<tr>
<td>5.8 Election Date</td>
<td>6</td>
</tr>
<tr>
<td>5.9 Eligibility for Election</td>
<td>6</td>
</tr>
<tr>
<td>5.10 Registrar to Supervise Nominations</td>
<td>7</td>
</tr>
<tr>
<td>5.11 Notice of Election and Nominations</td>
<td>7</td>
</tr>
<tr>
<td>5.12 Nomination Procedure</td>
<td>7</td>
</tr>
<tr>
<td>5.13 Acclamation</td>
<td>8</td>
</tr>
<tr>
<td>5.14 Registrar’s Electoral Duties</td>
<td>8</td>
</tr>
<tr>
<td>5.15 Scrutineers</td>
<td>8</td>
</tr>
<tr>
<td>5.16 Ballots</td>
<td>9</td>
</tr>
<tr>
<td>5.17 Voting</td>
<td>9</td>
</tr>
<tr>
<td>5.18 Number of Votes to be Cast</td>
<td>10</td>
</tr>
<tr>
<td>5.19 Tie Votes</td>
<td>10</td>
</tr>
<tr>
<td>5.20 Recounts</td>
<td>10</td>
</tr>
<tr>
<td>5.21 Interruption of Service</td>
<td>10</td>
</tr>
<tr>
<td>5.22 Conduct of Council Members</td>
<td>10</td>
</tr>
<tr>
<td>5.23 Filling of Vacancies</td>
<td>12</td>
</tr>
</tbody>
</table>
Article 1 INTERPRETATION ....................................................................................................... 1
  1.1 Definitions....................................................................................................................... 1
Article 2 CLASSES OF REGISTRATION .................................................................................... 4
  2.1 Prescribed Classes of Registration.................................................................................. 4
Article 3 PROFESSIONAL LIABILITY INSURANCE ............................................................... 4
  3.1 Insurance Requirements for a Certificate of Registration............................................... 4
  3.2 Evidence of Insurance..................................................................................................... 4
Article 4 RESTRICTION ON DIRECTORS AND COMMITTEE MEMBERS .................. 5
  4.1 Restriction on Directors. .................................................................................................. 5
  4.2 Restriction on Committee Members. ............................................................................... 5
Article 5 ELECTION OF DIRECTORS ......................................................................................... 5
  5.1 Number of Elected Directors............................................................................................ 5
  5.2 Voting Eligibility.............................................................................................................. 5
  5.3 Renewal of the Board - August 2020................................................................................ 5
  5.4 Election Date................................................................................................................... 6
  5.5 Terms of Office - August 2020. ....................................................................................... 6
  5.6 Terms of Office - After August 2020. .............................................................................. 6
  5.7 Eligibility for Election.................................................................................................... 7
  5.8 Notice of Election and Call for Applicants...................................................................... 8
  5.9 Director Competencies.................................................................................................... 8
  5.10 Application Procedure................................................................................................... 9
  5.11 Acclamation.................................................................................................................. 10
  5.12 Registrar’s Electoral Duties............................................................................................ 11
  5.13 Scrutineers................................................................................................................... 11
  5.14 Ballots........................................................................................................................ 12
  5.15 Voting........................................................................................................................ 12
  5.16 Number of Votes to be Cast.......................................................................................... 13
  5.17 Tie Votes...................................................................................................................... 13
  5.18 Interruption of Service.................................................................................................. 13
  5.19 Conduct of Directors.................................................................................................... 13
  5.20 Filling of Vacancies....................................................................................................... 16
  5.21 Supplementary Election Procedures.............................................................................. 17
Article 6 BOARD MEETINGS .................................................................................................... 17
  6.1 Meetings of the Board................................................................................................... 17
  6.2 Meetings Held By Technological Means.......................................................................... 19
Article 7 REMUNERATION AND EXPENSES

7.1 Remuneration and Expenses.

Article 8 COMMITTEES OF THE COLLEGE

8.1 Statutory Committees under the Act.
8.2 Statutory Committee under the Pharmacy Act.
8.3 Standing Committees.
8.4 Appointment of Special Committees.
8.5 Reporting of Committees.

Article 9 COMPOSITION AND DUTIES OF STATUTORY AND STANDING COMMITTEES

9.1 Article Subject to RHPA Regulations.
9.2 Composition of the Executive Committee.
9.3 Chair of the Executive Committee.
9.4 Duties of the Executive Committee.
9.5 Composition of the Registration Committee.
9.6 Duties of the Registration Committee.
9.7 Composition of the Inquiries, Complaints and Reports Committee.
9.8 Duties of the Inquiries, Complaints and Reports Committee.
9.9 Composition of the Discipline Committee.
9.10 Duties of the Discipline Committee.
9.11 Composition of the Fitness to Practise Committee.
9.12 Duties of the Fitness to Practise Committee.
9.13 Composition of the Quality Assurance Committee.
9.14 Duties of the Quality Assurance Committee.
9.15 Composition of the Patient Relations Committee.
9.16 Duties of the Patient Relations Committee.
9.17 Composition of the Accreditation Committee.
9.18 Duties of the Accreditation Committee.
9.19 Composition of the Finance and Audit Committee.
9.20 Duties of the Finance and Audit Committee.
9.21 Composition of the Screening Committee.
9.22 Duties of the Screening Committee.
9.23 Composition of the Governance Committee.
9.26 Duties of the Drug Preparation Premises Committee

Article 10 DUTIES OF OFFICERS

10.1 Duties of the Chair and the Vice-Chair.

Article 11 COMMITTEE APPOINTEES

11.1 Professional Committee Appointments.

11.2 Lay Committee Appointees.

Article 12 ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE

12.1 Election of the Chair, Vice-Chair and Executive Committee.

Article 13 APPOINTMENTS TO COMMITTEES

13.1 Appointments to Statutory and Standing Committees.

13.2 Appointment of Screening Committee.

13.3 Committee Chairs.

Article 14 COMMITTEE PROCEDURES

14.1 Disqualification, Vacancies and Term Limits of Committee Members.

14.2 Quorum.

14.3 Voting.

14.4 Committee Vacancies.

Article 15 BUSINESS OF THE COLLEGE

15.1 Seal.

15.2 Execution of Documents.

15.3 Banking and Finance.

15.4 Financial Year and Audit.

15.5 Inspectors.

15.6 Inspectors for the Purposes of Inspecting Drug Preparation Premises.

15.7 Grants.

15.8 Funds.

15.9 College Membership.

15.10 Delegation of Powers and Duties.

Article 16 THE REGISTER

16.1 Registrant’s Name.

16.2 Business Address and Telephone Number.

16.3 Information Regarding a Result.

16.4 Publication Ban.

16.5 Disclosure of Information.

16.6 Information to be kept in Register by the Code - Registrants.
16.7 Information to be kept in Register by RHPA Regulations - Registrants ................................. 42
16.8 Additional Information to be kept in Register - Registrants ................................................. 43
16.9 Former Registrants .................................................................................................................. 48
16.10 Information to be kept in Register – Drug Preparation Premises ....................................... 48
16.11 Information to be kept in Register – Health Profession Corporations ............................... 49
16.12 Information to be Kept in Register - Pharmacies ................................................................. 49
16.13 Deletion of Information ........................................................................................................ 52
16.14 Disclosure .............................................................................................................................. 53

Article 17 FILING OF INFORMATION BY REGISTRANTS, PHARMACIES AND HEALTH
PROFESSION CORPORATIONS .................................................................................................. 53
17.1 Filing of Information by Registrants ....................................................................................... 53
17.2 Filing of Information by Applicants for a Certificate of Accreditation .................................. 54
17.3 Filing of Information by Pharmacies ...................................................................................... 55
17.4 Filing of Information for Closing Pharmacies ..................................................................... 56
17.5 Filing of Information by Health Profession Corporations ....................................................... 57

Article 18 CHANGE OF CONTROL ............................................................................................ 57
18.1 Change of Control .................................................................................................................. 57

Article 19 REGISTRANT FEES ................................................................................................ 58
19.1 Application and Issuance Fees ............................................................................................. 58
19.2 Examination Fee .................................................................................................................. 58
19.3 Annual Fees ........................................................................................................................ 58
19.4 Fee to Lift Suspension or for Reinstatement ....................................................................... 59
19.5 Other Fees .......................................................................................................................... 59

Article 20 PHARMACY TRANSACTION FEES .......................................................................... 60
20.1 Application Fee .................................................................................................................... 60
20.2 Issuance Fee ........................................................................................................................ 60
20.3 Fee for Amended Certificates - Remote Dispensing Locations ......................................... 61
20.4 Renewal Fee ....................................................................................................................... 61
20.5 Additional Renewal Fee ...................................................................................................... 61

Article 21 CERTIFICATE OF AUTHORIZATION FEES ............................................................. 61
21.1 Application Fee .................................................................................................................... 61
21.2 Renewal Fee ....................................................................................................................... 61

Article 22 APPLICATION OF FEES ......................................................................................... 62
22.1 Application of Fees ............................................................................................................. 62

Article 23 CODES OF ETHICS AND CONDUCT .................................................................... 62
23.1 Code of Ethics ........................................................................................................... 62
23.2 Code of Conduct ........................................................................................................ 62

Article 24 MAKING, AMENDING AND REVOKING BY-LAWS ....................................... 62
24.1 Requirements ............................................................................................................. 62
24.2 Repeal of Former By-Laws ....................................................................................... 63
24.3 Effective Date ............................................................................................................. 63
24.4 Conflict ...................................................................................................................... 63

Schedule A .......................................................................................................................... 65
Schedule B .......................................................................................................................... 77
Schedule C .......................................................................................................................... 79
Schedule D .......................................................................................................................... 81

5.24 Supplementary Election Procedures ........................................................................ 13

Article 6 MEETINGS OF COUNCIL ............................................................................. 13
6.1 Meetings of Council .................................................................................................................... 13
6.2 Meetings Held By Technological Means ................................................................................... 15

Article 7 REMUNERATION AND EXPENSES ....................................................................................... 15
7.1 Remuneration and Expenses ....................................................................................................... 15

Article 8 COMMITTEES OF THE COLLEGE ......................................................................................... 16
8.1 Statutory Committees under the Act .......................................................................................... 16
8.2 Statutory Committee under the Pharmacy Act ............................................................................ 16
8.3 Standing Committees .................................................................................................................. 17
8.4 Appointment of Special Committees ........................................................................................ 17
8.5 Reporting of Committees ............................................................................................................ 17
8.6 Non-Council Committee Members ............................................................................................ 17
8.7 Appointment of Elections Committee ......................................................................................... 18
8.8 Appointment of Drug Preparation Premises Committee ............................................................ 18
8.9 Appointments to Statutory and Standing Committees ............................................................... 18
8.10 Disqualification, Vacancies and Term Limits of Committee Members .................................... 19
8.11 Quorum ....................................................................................................................................... 20
8.12 Voting ......................................................................................................................................... 20
8.13 Vacancies ................................................................................................................................... 20

Article 9 COMPOSITION AND DUTIES OF STATUTORY AND STANDING COMMITTEES ......... 20
9.1 Article Subject to RHPA Regulations ......................................................................................... 20
9.2 Composition of the Executive Committee .................................................................................. 20
9.3 Chair of the Executive Committee ............................................................................................. 21
9.4 Duties of the Executive Committee ........................................................................................... 21
9.5 Composition of the Registration Committee .............................................................................. 22
9.6 Duties of the Registration Committee ........................................................................................ 22
9.7 Composition of the Inquiries, Complaints and Reports Committee ........................................... 22
9.8 Duties of the Inquiries, Complaints and Reports Committee ....................................................... 22
9.9 Composition of the Discipline Committee .................................................................................. 23
9.10 Duties of the Discipline Committee ........................................................................................ 23
9.11 Composition of the Fitness to Practise Committee ................................................................. 23
9.12 Duties of the Fitness to Practise Committee .............................................................................. 23
9.13 Composition of the Quality Assurance Committee ..................................................................... 23
9.14 Duties of the Quality Assurance Committee ............................................................................ 23
9.15 Composition of the Patient Relations Committee ................................................................. 24
9.16 Duties of the Patient Relations Committee .............................................................................. 24
9.17 Composition of the Accreditation Committee ................................................................. 24
9.18 Duties of the Accreditation Committee ............................................................................ 24
9.19 Composition of the Finance and Audit Committee .......................................................... 24
9.20 Duties of the Finance and Audit Committee .................................................................... 25
9.21 Composition of the Elections Committee ......................................................................... 25
9.22 Duties of the Elections Committee .................................................................................. 25
9.23 Composition of the Drug Preparation Premises Committee ........................................... 26
9.24 Duties of the Drug Preparation Premises Committee ...................................................... 26

Article 10 OFFICERS .................................................................................................................. 26
10.1 Election of the President and the Vice-President .............................................................. 26
10.2 Duties of the President and the Vice-President ............................................................... 26

Article 11 BUSINESS OF THE COLLEGE .............................................................................. 27
11.1 Seal ..................................................................................................................................... 27
11.2 Execution of Documents ................................................................................................... 27
11.3 Banking and Finance ......................................................................................................... 28
11.4 Financial Year and Audit ................................................................................................. 28
11.5 Inspectors/Practice Advisors .......................................................................................... 28
11.6 Inspectors for the Purposes of Inspecting Drug Preparation Premises ................................ 28
11.7 Grants .................................................................................................................................. 28
11.8 Funds ................................................................................................................................. 28
11.9 College Membership ........................................................................................................ 29
11.10 Delegation of Powers and Duties .................................................................................... 29

Article 12 THE REGISTER ......................................................................................................... 29
12.1 Member’s Name .................................................................................................................. 29
12.2 Business Address and Telephone Number ........................................................................ 29
12.3 Information Regarding a Result ........................................................................................ 30
12.4 Publication Ban .................................................................................................................. 30
12.5 Disclosure of Information .................................................................................................. 30
12.6 Information to be kept in Register by the Code – Members ................................................. 30
12.7 Information to be kept in Register by RHPA Regulations – Members ............................... 31
12.8 Additional Information to be kept in Register – Members .................................................. 32
12.9 Former Members ............................................................................................................... 37
12.10 Information to be kept in Register – Drug Preparation Premises ..................................... 37
12.11 Information to be kept in Register – Health Profession Corporations ............................. 37
12.12 Information to be kept in Register – Pharmacies ............................................................ 38
12.13 Deletion of Information .................................................................................................... 40
12.14 Disclosure ........................................................................................................................ 41
Article 13 FILING OF INFORMATION BY MEMBERS, PHARMACIES AND HEALTH PROFESSION CORPORATIONS............................................................................................................. 41
  13.1—Filing of Information by Members ............................................................................................. 41
  13.2—Filing of Information by Applicants for a Certificate of Accreditation ..................................... 42
  13.3—Filing of Information by Pharmacies .......................................................................................... 43
  13.4—Filing of Information for Closing Pharmacies ............................................................................ 44
  13.5—Filing of Information by Health Profession Corporations .......................................................... 44
Article 14 CHANGE OF CONTROL ......................................................................................................... 44
  14.1—Change of Control ....................................................................................................................... 44
Article 15 MEMBER FEES ........................................................................................................................ 45
  15.1—Application of Fees ..................................................................................................................... 45
  15.2—Application and Issuance Fees .................................................................................................... 45
  15.3—Examination Fee .......................................................................................................................... 45
  15.4—Annual Fees ............................................................................................................................... 46
  15.5—Fee to Lift Suspension or for Reinstatement ............................................................................... 46
  15.6—Election Recount Fee ................................................................................................................. 47
  15.7—Other Fees .................................................................................................................................. 47
Article 16 PHARMACY TRANSACTION FEES ..................................................................................... 47
  16.1—Application of Fees ..................................................................................................................... 47
  16.2—Application Fee ........................................................................................................................... 47
  16.3—Issuance Fee ............................................................................................................................... 48
  16.4—Fee for Amended Certificates - Remote Dispensing Locations .................................................. 48
  16.5—Renewal Fee ............................................................................................................................... 48
  16.6—Additional Renewal Fee ............................................................................................................. 49
Article 17 CERTIFICATE OF AUTHORIZATION FEES ........................................................................ 49
  17.1—Application of Fees ..................................................................................................................... 49
  17.2—Application Fee ........................................................................................................................... 49
  17.3—Renewal Fee ............................................................................................................................... 49
Article 18 CODES OF ETHICS AND CONDUCT ................................................................................... 49
  18.1—Code of Ethics ............................................................................................................................. 49
  18.2—Code of Conduct ......................................................................................................................... 49
Article 19 MAKING, AMENDING AND REVOKING BY-LAWS ......................................................... 49
  19.1—Requirements ............................................................................................................................. 49
  19.2—Repeal of Former By-Laws ......................................................................................................... 50
  19.3—Effective Date ............................................................................................................................. 50
  19.4—Conflict ...................................................................................................................................... 50
Schedule A .................................................................................................................................................... 51
BE IT ENACTED as a by-law of the ONTARIO COLLEGE OF PHARMACISTS as follows:

ARTICLE 1
INTERPRETATION

1.1 Definitions.

1.1 Meaning of Words. In this By-Law, and in all other By-Laws and resolutions of the College, unless the context otherwise requires:

1.1.1 “Act” means the Regulated Health Professions Act, 1991, S.O. 1991, c.18, as the same may be amended from time to time;

1.1.2 “Applicant” means an applicant as defined in the Drug and Pharmacies Regulation Act Regulations; “Board” means the board of directors of the College. For the purposes of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, the Board means the Council of the College;

1.1.3 “By-Law” or “By-Laws” means the By-Laws of the College, as the same may be amended from time to time;

1.1.4 “Certificate of Accreditation” means a certificate of accreditation issued to a pharmacy by the Registrar pursuant to the Drug and Pharmacies Regulation Act;

1.1.5 “Certificate of Authorization” means a certificate of authorization issued to a health profession corporation by the College;

1.1.6 “Certificate of Registration” means a Certificate of Registration issued to a Member Registrant by the Registrar pursuant to the Code;

1.1.7 “Chair” means, depending on the context, the Chair of a Statutory Board and for the purpose of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, means the President of the College, and “chair” means the chair of a Committee or a standing Committee, or the person presiding at a meeting of the CouncilBoard, as the context requires;

1.1.8 “Change of Control” has the meaning given to it in subparagraph 14.1.2;

1.1.9 “Code” means the Health Professions Procedural Code, being Schedule 2 to the Act;
1.1.10 “Code of Conduct” means the Code of Conduct and Procedures for Council Directors and Committee Members which is set out in Schedule B to this By-Law, as the same may be amended from time to time;

1.1.11 “Code of Ethics” means the Code of Ethics which is set out in Schedule A to this By-Law, as the same may be amended from time to time;

1.1.12 “College” means the Ontario College of Pharmacists;

1.1.13 “Committee” or “Committees” means a Committee of the College, whether a Statutory Committee or a standing or special Committee;

1.1.14 “Contact Person” means the person designated as the contact person for a hospital pharmacy or institutional pharmacy pursuant to section 146.1 of the Drug and Pharmacies Regulation Act;

1.1.15 “Council” means the Council of the College;

1.1.16 “Council member” or “member of Council” means a person who has been elected or appointed as a member of Council;

1.1.17 “Deputy Registrar” means the person who, from time to time, holds the title of Deputy Registrar of the College;

1.1.18 “Designated Manager” means the manager designated by the Owner of a pharmacy as required by section 146(1)(b) of the Drug and Pharmacies Regulation Act;

1.1.19 “Director of Conduct” means the person who, from time to time, holds the title of Director of Conduct of the College; “means a person elected or appointed to be a member of the Board;”

1.1.20 “Director, Corporate Services” means the person who, from time to time, holds the title of Director, Corporate Services of the College;

1.1.21 “Director of Quality” means the person who, from time to time, holds the title of Director of Quality of the College;

1.1.18 “Director Profile” means the combination of patient populations served as set out in subparagraph 5.9.1, and knowledge, skills and experience as set out in subparagraph 5.9.2, that will be required of applicants who seek to be qualified as candidates for election to the Board, as determined by the Governance Committee;

1.1.19 “Drug and Pharmacies Regulation Act” means the Drug and Pharmacies Regulation Act, R.S.O. 1990, Chap. H.4, as the same may be amended from time to time;
1.1.20 “Drug and Pharmacies Regulation Act Regulations” means the regulations made under the Drug and Pharmacies Regulation Act, as the same may be amended from time to time;

1.1.21 “Drug Preparation Premises” means drug preparation premises as defined in the Pharmacy Act Regulations;

1.1.22 “Electoral District” means an Electoral District as set out in Article 5; “Elected Director” means a Director elected to the Board in accordance with this By-Law;

1.1.23 “Former Member Registrant” has the meaning given to it in subparagraph 12.9.16.9.1;

1.1.24 “health profession corporation Health Profession Corporation” means a corporation incorporated under the Business Corporations Act (Ontario) that holds a Certificate of Accreditation;

1.1.25 “Inspector Lay Committee Appointee” means an individual appointed pursuant to section 148(1) of the Drug and Pharmacies Regulation Act, otherwise referred to as a “practice advisor” under this By-Law to serve as a member of a Committee who is neither a Director nor a Registrant;

1.1.26 “Member” means a member of the College;

1.1.27 “Narcotic Signer” means a pharmacist who is designated by a pharmacy to be authorized to sign the documentation required under the Controlled Drug and Substances Act (Canada) or the regulations thereunder in order to obtain narcotics for the pharmacy;

1.1.28 “Owner” means an “owner” as defined in the Drug and Pharmacies Regulation Act Regulations;

1.1.29 “Pharmacy Act” means the Pharmacy Act, 1991, S.O. 1991, c.36, as the same may be amended from time to time;

1.1.30 “Professional Advocacy Association” means an organization whose principal mandate is to represent the interests of and advocate on behalf of pharmacies (community and hospital), pharmacists or pharmacy technicians, or a segment of them, including those registered in or practising in Canada. Examples of a Professional Advocacy Association include the Ontario Pharmacists Association, the Canadian Pharmacists Association, the
Canadian Association of Pharmacy Technicians and Neighbourhood Pharmacy Association of Canada;

1.1.31 “Professional Committee Appointee” means a Registrant who is not a Director, who is appointed under this By-Law to serve as a member of a Committee;

1.1.32 “Protecting Patients Act” means the Protecting Patients Act, 2017, S.O. 2017, C:11, as the same may be amended from time to time;

1.1.33 “Public Director” means a Director appointed to the Board by the Lieutenant Governor-in-Council;

1.1.34 “Register” means the Register required to be kept pursuant to the Code;

1.1.35 “Registrant” means a member of the College;

1.1.36 “Registrar” means the person who, from time to time, holds the title of Registrar and Chief Executive Officer of the College;

1.1.37 “RHPA Regulations” means the regulations made under the Act, as the same may be amended from time to time; and;

1.1.38 “Statutory Committees” means the Committees listed in section 10 of the Code as of the date of enactment of these By-Laws, and the Accreditation Committee as required under the Pharmacy Act, and any other legislation or policy where the context requires.

1.1.39 “Vice-Chair” means the vice-chair of the Board and for the purpose of the Act, the RHPA Regulations, the Code, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, means the Vice-President of the College.

1.2 Amendments.

Whenever reference is made in a By-Law to any statute or regulation, such reference shall be deemed to include any amendment to such statute or regulation as may be made from time to time.

ARTICLE 2
CLASSES OF REGISTRATION

2.1 Prescribed Classes of Registration.

Effective upon Schedule 1 (Drug and Pharmacy Regulations Act) of the Protecting Patients Act being proclaimed into force, all references in this By-Law to “Registered Pharmacy Student” shall be deemed to be deleted and replaced with “Intern Technician.”
ARTICLE 3
PROFESSIONAL LIABILITY INSURANCE

3.1 Insurance Requirements for a Certificate of Registration.

A Member-Registrant who holds a Certificate of Registration as a Pharmacy Technician, Registered Pharmacy Student, Intern or Pharmacist listed in Part A of the Register, must maintain personal professional liability insurance as follows:

3.1.1 Limit of Liability. The policy of insurance must contain limits of a minimum of $2,000,000 per claim or per occurrence and $4,000,000 in the annual aggregate.

3.1.2 Definition of Insured Services. The definition of Insured Services under the policy must include all professional services in the practice of pharmacy as regulated by the College.

3.1.3 Retroactive Date. The policy must not contain a retroactive date and must provide for full prior acts protection.

3.1.4 Extended Reporting Period (ERP). If the policy is a “claims made” policy, it must contain an extended reporting period provision for a minimum of three (3) years.

3.1.5 Personal Professional Liability Insurance Coverage. The policy must be issued in the name of the individual Member-Registrant and provide that Member-Registrant with mobility and coverage wherever in Ontario that Member-Registrant practises.

3.1.6 Legal Defence Payments. Legal defence payments for regulatory proceedings or other legal proceedings potentially afforded by a personal professional liability policy must not erode the minimum limits of liability under the policy.

3.2 Evidence of Insurance.

A Member-Registrant shall, upon the request of the Registrar, provide proof satisfactory to the Registrar of professional liability insurance in the required amounts and form, and a copy of the Member-Registrant’s professional liability insurance policy.

ARTICLE 4
RESTRICTION ON COUNCIL DIRECTORS AND COMMITTEE MEMBERS

4.1 Restriction on Directors.

A Director shall not be an employee of the College.
4.2 **Restriction on Committee Members.**

**4.1 Restriction on Council Members.** No member of the Committee shall not be an employee of the College.

**ARTICLE 5**

**ELECTION OF COUNCIL MEMBERS**

5.1 **Electoral Districts K, L, M, N, P.** The following Electoral Districts are established for the purpose of the election of members of Council who hold a Certificate of Registration as a Pharmacist:

5.1.1 **Electoral District K (Eastern Ontario),** comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter K.

5.1.2 **Electoral District L (Central Ontario),** comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter L.

5.1.3 **Electoral District M (Toronto),** comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter M.

5.1.4 **Electoral District N (Western Ontario),** comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter N.

5.1.5 **Electoral District P (Northern Ontario),** comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter P.

5.2 **Electoral District H.** The following Electoral District is established for the purpose of the election of members of Council who hold a Certificate of Registration as a Pharmacist and whose place of practice for election purposes on June 1 immediately preceding the election, is in, or for, a hospital in Ontario that has been approved or licensed under a federal or provincial statute:

5.2.1 **Electoral District H, comprised of the Province of Ontario.**

5.3 **Electoral District T.** The following Electoral District is established for the purpose of the election of a member of Council who holds a Certificate of Registration as a Pharmacy Technician:

5.3.1 **Electoral District T, comprised of the Province of Ontario.**

5.4 **Electoral District TH.** The following Electoral District is established for the purpose of the election of a member of Council who holds a Certificate of Registration as a Pharmacy Technician and whose place of practice for election purposes on June 1 immediately preceding the election, is in a hospital in Ontario that has been approved or licensed under a federal or provincial statute:

5.4.1 **Electoral District TH, comprised of the Province of Ontario.**

**ARTICLE 5**

**ELECTION OF DIRECTORS**

5.1 **Number of Members to be Elected, Number of Elected Directors.**

5.5.1 The number of members of Council to be elected is:
(a) Three (3) in each of Electoral Districts L, M, and N;
(b) Two (2) in each of Electoral Districts K and P;
(c) Two (2) in Electoral District H;
(d) One (1) in Electoral District T; and
(e) One (1) in Electoral District TH.

5.6 Voting Eligibility. Every Member who holds a valid Certificate of Registration as a Pharmacist or a Pharmacy Technician, who practises or resides in Ontario, and who is not in default of payment of the annual fee, is entitled to vote in an election of members to the Council in the Electoral District in which his or her place of practice is located on June 1 immediately preceding the election.

5.6.2 A Member who holds a Certificate of Registration as a Pharmacist shall only be eligible to vote in one of Electoral Districts K, L, M, N, P and H and a Member who holds a Certificate of Registration as a Pharmacy Technician shall only be eligible to vote in one of Electoral Districts T or TH.

5.6.3 Neither a Registered Pharmacy Student nor an Intern is entitled to vote.

5.6.4 If, as of June 1 immediately preceding an election, a Member has no fixed place of practice, the Member may vote in the Electoral District in which he or she resides or, in the case of a Member who holds a Certificate of Registration as a Pharmacy Technician, in Electoral District T.

5.6.5 If, as of June 1 immediately preceding an election, a Member has a place of practice in more than one Electoral District, the Member shall declare to the Registrar which Electoral District is to be considered his or her place of practice for election purposes, and he or she may vote only in that Electoral District.

5.6.6 If the place of practice for election purposes of a Member is in a hospital in Ontario approved or licensed under a federal or provincial statute, he or she may only vote in Electoral District H (in the case of a Pharmacist) or Electoral District TH (in the case of a Pharmacy Technician).

5.7 Terms of Office. The term of office of a person elected to Council shall be three (3) years, commencing at the first meeting of Council after the election.

5.1.1 Subject to subparagraph 5.1.2, there shall be nine (9) Elected Directors, of whom two (2) shall be pharmacy technicians.

5.1.2 In the event that the number of Public Directors exceeds nine (9), the Board may increase the number of Elected Directors to be elected at the next annual August election to correspond to the number of Public Directors. Any such additional Elected Directors shall be pharmacists.

5.1.3 If the number of Public Directors is subsequently reduced, the Board may reduce the number of Elected Directors to be elected at the next annual August election to equal the number of Public Directors then-appointed.
5.2 **Voting Eligibility.**

Every Registrant who holds a valid Certificate of Registration as a pharmacist or a pharmacy technician, who practises or resides in Ontario, and who is not in default of payment of the annual fee, is entitled to vote in an election of Directors.

5.3 **Renewal of the Board - August 2020.**

5.3.1 Subject to subparagraph 5.3.2, the terms of office of all Elected Directors who are members of the Council as of the date that this By-Law comes into effect (the “Incumbent Elected Directors”) will end on the date of the first meeting of the Board held after the election in August 2020, and seven (7) Elected Directors shall be elected to the Board in accordance with this By-Law at the election in August 2020 for the terms of office set out in paragraph 5.5.

5.3.2 Notwithstanding subparagraph 5.3.1, the Board shall select two (2) Incumbent Elected Directors who sit on the Executive Committee as of the date that this By-Law comes into effect, who will have their terms of office continue for one (1) year and two (2) years, respectively, following the August 2020 election.

5.4 **Election Date.**

5.4.1 An election of members of Council for Electoral Districts N and H shall be held on the first Wednesday in August 2018 and of every third (3rd) year after that, for the number of positions on the Board that are then available.

5.4.2 An election of members of Council for Electoral Districts K, L, T and TH shall be held on the first Wednesday in August 2019 and every third (3rd) year after that.

5.4.3 An election of members of Council for Electoral Districts M and P shall be held on the first Wednesday in August 2020 and every third (3rd) year after that.

5.5 **Terms of Office - August 2020.**

The terms of office of the seven (7) Elected Directors elected in August 2020 will commence at the first meeting of the Board following the election and end, subject to paragraph 5.11, as follows:

5.5.1 The two (2) pharmacists who receive the highest number of votes out of all pharmacist candidates will be elected for a three (3)-year term;

5.5.2 The pharmacy technician who receives the highest number of votes out of all pharmacy technician candidates will be elected for a three (3)-year term;

5.5.3 The pharmacy technician who receives the second highest number of votes of all pharmacy technician candidates will be elected for a two (2)-year term;
5.5.4 the pharmacist who receives the third highest number of votes out of all pharmacist candidates will be elected for a two (2)-year term;

5.5.5 the two (2) pharmacists who receive the fourth and fifth highest number of votes out of all pharmacist candidates will each be elected for a one-(1)-year term; and

5.5.6 if there is a tie among candidates and it is necessary to break the tie to determine who will receive the longer term between the candidates, the Registrar shall break the tie by lot.

5.6 Terms of Office - After August 2020.

5.6.1 The term of office of an Elected Director who is elected in each annual election beginning with the August 2021 election will be three (3) years, commencing at the first meeting of the Board after the election.

5.6.2 No Elected Director who is first elected in the August 2020 election may serve as a Director for more than six (6) consecutive years.

5.6.3 No Director who is a member of Council on the date this By-Law comes into effect may serve for more than nine (9) consecutive years (inclusive of years of service prior to the date this By-Law comes into effect).

5.6.4 If an Elected Director reaches the end of his or her maximum service prior to the end of his or her term, the Elected Director will cease to hold office and his or her position on the Board will be filled by way of a by-election in accordance with paragraph 5.20.

5.7 Eligibility for Election.

5.7.1 A Member Registrant who holds a valid Certificate of Registration as a Pharmacist or as a Pharmacy Technician is eligible to seek to be a candidate for election to the Council in one of Electoral Districts K, L, M, N, P and H (in the case of a Pharmacist) or in one of Electoral Districts T and TH (in the case of a Pharmacy Technician) if, on June 1 immediately preceding the election, the Board if he or she meets the following requirements:

(a) in the case of a Member who proposes to run in Electoral Districts K, L, M, N, P or Electoral District T, the Electoral District in which the Member proposes to run is the Member’s place of practice for election purposes, and is where the majority of his or her time in the practice of pharmacy is spent, or alternatively, is the location of the Member’s permanent residence;

(b) in the case of a Member who proposes to run in Electoral District H or TH the majority of the Member’s time in the practice of pharmacy is spent in a hospital in Ontario that has been approved or licensed under a federal or provincial statute, which is the Member’s place of practice for election purposes;

(c) the Member Registrant is not in default of payment of any fees prescribed in the By-Laws;
(b) the Registrant is not the subject of any disciplinary or incapacity proceeding;

Depending on the seriousness of the nature of the concern, the Registrant has been the subject of no more than two (2) Inquiries, Complaints and Reports Committee dispositions that have resulted in a posting to the public register:

[Note: This requirement was proposed in the briefing note and approved by Council. This new requirement has not been included in the draft By-Law.]

(c) the Member’s Certificate of Registration has not been revoked or suspended in the six (6) years preceding the date of the election; the Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee.

(d) the Member is not a Registered Pharmacy Student or Intern registered pharmacy student or intern;

(e) the Member’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;

(f) the Member is not an employee, officer or director of a Professional Advocacy Association, or, if the Member is such an employee, officer or director of a Professional Advocacy Association, the Member gives an undertaking to resign from such position upon being elected or acclaimed to the Council. For greater certainty, nothing in this clause will prevent a Member who serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from running for election to be an Elected Director;

(g) the Member has not been disqualified from serving on Council or a committee within the six (6) years immediately preceding the election;

(h) where the Registrant was formerly a Director, but is not as of the date of the election a Director, it has been at least three (3) years since he or she was a Director;

(i) the Member is not an adverse party in litigation against the College, the Council, a committee of the Council or a panel of a
committee of the Council or any of its directors, Board, a Committee or any of the College’s officers, employees or agents;

(j) the Registrant commits to devoting sufficient time in his or her schedule to participating in all required Board and Committee activities;

(k) the Member Registrant has not, in the opinion of the Elections Screening Committee, engaged in conduct unbecoming a Council member Director; and

(l) the Member Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the election, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection.

5.9.2 Every Member who proposes to run for election to the Council shall establish, to the satisfaction of the Elections Committee, that he or she meets the place of practice or residency requirement in the Member’s Electoral District. In the event of a dispute about whether a Member meets those requirements, or otherwise regarding the eligibility of a Member for election to Council, the Elections Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. In the event that the Executive Committee finds that the Member does not meet the place of practice or residency requirement in the Member’s Electoral District, or that the Member is not otherwise eligible for election, it shall disqualify the Member as a candidate.

5.9.3 No person who has a direct interest in the result of an election dispute shall participate in the investigation or consideration of such dispute as a member of the Elections Committee or in the discussion and voting by the Executive Committee.

5.10 Registrar to Supervise Nominations.

5.10.1 The Registrar shall supervise the nominations of candidates for members of Council.

5.8 5.11 Notice of Election and Nominations Call for Applicants.

5.8.1 5.11.1 No later than June 1 in the year in which the election is to be held, the Registrar shall notify each Member Registrant who is eligible to vote in an Electoral District in which an election is scheduled, of the date of the election and the number of available positions on the Board. Such notification shall be by electronic mail, shall include a link to the Director Profile and application form for election and shall be addressed to each such Member Registrant at his or her electronic address that is on file with the College. Such notice shall also be published on the website of the College.

5.9 Director Competencies.

5.9.1 The Board shall at all times comprise Elected Directors who collectively serve, or have experience working with, the following diverse patient populations:
(a) patients served by rural community pharmacies;
(b) patients served by urban community pharmacies;
(c) patients treated at teaching hospitals;
(d) patients treated at community hospitals;
(e) patients located in northern/remote areas;
(f) patients who identify as Indigenous;
(g) patients with mental health and addictions needs; and
(h) patients in long-term care.

5.9.2 The Board shall in addition at all times comprise Directors who collectively have the following knowledge, skills and experience:

(a) experience in and understanding of the principles of protecting, and acting in, the public interest;
(b) experience working with diverse populations, marginalized groups and people with disabilities;
(c) experience serving on boards in an oversight capacity;
(d) experience in managing risk, including reputational risk;
(e) experience in senior leadership roles in business;
(f) experience as a human resource professional including in occupational health and safety, organizational structures and human resources oversight and compensation, recruiting and succession planning;
(g) financial and/or accounting expertise, including experience preparing, auditing, analyzing or evaluating financial statements and an understanding of generally accepted accounting principles;
(h) ability to navigate electronic systems to access Board and Committee materials;
(i) legal experience or familiarity with regulated professions, including overseeing regulations and setting standards for certification; and
(j) experience participating in, or leading, an organization in planning for its future, such as: conducting S.W.O.T. (strengths, weaknesses,
opportunities, and threats) analysis, environmental scans, strategy design, planning, implementation and evaluation.

5.10 Nomination Application Procedure.

5.10.1 A candidate for election as a member of Council shall be nominated by not fewer than three Registrant seeking to be a candidate for election as an Elected Director shall complete and return an application form no later than the deadline provided in the form. The application form shall be accompanied by three (3) reference letters in accordance with the instructions contained in the application form.

(3) Members who are eligible to vote in the Electoral District for which the candidate is nominated.

5.12.2 The nomination paper shall be accompanied by a form signed by the candidate in which the candidate affirms his or her commitment to the objects of the College and undertakes to comply with the College’s policies, the By-Laws, the Code of Ethics and the Code of Conduct.

5.12.3 The nomination shall be signed by the nominators and shall be accepted by the candidate.

5.10.2 The application form shall include a signed affirmation by the applicant of his or her commitment to participate in pre-orientation activities aimed at understanding the obligations of a Director.

5.10.3 The Screening Committee shall review the applications against the eligibility requirements as set out in paragraph 5.7 and the Director Profile that the Governance Committee has announced for the election. Applicants who (a) meet the eligibility requirements in paragraph 5.7, and (b) serve or have experience with patient populations, and have knowledge, skill and experience, that are within the Director Profile, will be qualified as candidates for election.

5.10.4 If it is not possible for the candidate to accept the nomination on the nominating paper which has been signed by the nominators, the candidate shall forward his or her acceptance to the Registrar. The Screening Committee requires additional information in order to assess whether an applicant meets the criteria in the Director Profile, the Screening Committee may require the applicant to participate in an interview in person or by electronic means.

5.10.5 All nominations shall be filed with the Registrar no later than 5:00 p.m. on the third Wednesday of June in the year in which the election is to be held.

5.10.6 The Registrar shall, without undue delay after nominations have been closed, give notice to all those nominated of the names of the members nominated.

5.10.7 A candidate may withdraw his or her candidacy by notice of withdrawal delivered to the Registrar no later than July 1 in the year in which the election is to be held.
5.10.6 All applicants who have not withdrawn their application will be notified whether they are eligible and have been qualified as candidates for election.

5.10.7 In the event of a dispute about whether a Registrant is eligible or qualified as a candidate for election, the Governance Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. The Executive Committee shall rule and inform the candidate of its decision and reasons.

5.10.8 A person who has a direct interest in the result of an election dispute shall not participate in the investigation or consideration of such dispute.

5.11 **Acclamation.**

5.11.1 5.13.1 If, after the deadline referred to in subparagraph 5.12.5.5.10.5, the number of eligible pharmacy technicians qualified as candidates nominated for an Electoral District election is equal to the number of members pharmacy technicians to be elected in that Electoral District election, the Registrar shall declare the eligible those pharmacy technician candidate(s) to be elected by acclamation.

5.11.2 If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacists qualified as candidates for election is equal to the number of pharmacists to be elected in that election, the Registrar shall declare those pharmacist candidate(s) to be elected by acclamation.

5.11.3 5.13.2 If, after the deadline referred to in subparagraph 5.12.5.5.10.5, the number of eligible pharmacy technicians qualified as candidates nominated for an Electoral District election is less than the number of members pharmacy technicians to be elected in that Electoral District election, the Registrar shall declare any eligible the qualified pharmacy technician candidate(s) to be elected by acclamation and there will be a supplementary nomination application, selection and election process held in accordance with paragraph 5.24 5.21 in order to fill any remaining vacancies.

5.11.4 If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacists qualified as candidates for election is less than the number of pharmacists to be elected in that election, the Registrar shall declare the qualified pharmacist candidate(s) to be elected by acclamation and there will be a supplementary application, selection and election process held in accordance with paragraph 5.21 in order to fill any remaining vacancies.

5.11.5 In the event of acclamation pursuant to this paragraph 5.11 in an election in which candidates will be elected to terms of varying lengths, the Registrar shall determine by lot which successful candidate will serve for which length of term. However, if subparagraph 5.11.3 or 5.11.4 is applicable, the candidate(s) elected by acclamation will serve the longer of the available terms.
5.12  **Registrar’s Electoral Duties.**

5.12.1 The Registrar shall supervise and administer the election of candidates and for the purpose of carrying out that duty, the Registrar shall:

(a) appoint returning officers or scrutineers;

(b) establish a deadline for the receipt of ballots;

(c) establish reasonable safeguards to ensure that the person voting is entitled to vote;

(d) ensure electronic communication and voting processes are reliable and secure;

(e) establish procedures for the counting and verification of ballots; and

(f) provide for the notification of all candidates and Registrants of the results of the election; and

(g) provide for the destruction of ballots or the destruction of the record of ballots following an election.

5.12.2 No later than twenty-one (21) days before the date of an election, the Registrar shall provide to every Member Registrant eligible to vote in an Electoral District in which an election is to take place a list of the candidates in the Electoral District, secure access to a ballot, and an explanation of the voting procedures as set out in this By-Law.

5.13  **Scrutineers.**

5.13.1 The Council Board shall, at the last regular Council Board meeting before an election, appoint two (2) or more persons to serve as scrutineers for the election.

5.13.2 The scrutineers will be reimbursed for their expenses as provided in the By-Laws Article 7 in accordance with a policy made by a resolution of the Board.

5.13.3 If a scrutineer is unable or unwilling to act, the President shall appoint a person as a replacement scrutineer.

5.14  **Ballots.**

5.14.1 The names of the candidates properly nominated in the Electoral District in which an election is to take place, and who have not withdrawn their candidacies by the deadline for so doing, will appear on the ballot.
5.14.2 The Registrar shall prepare a list of the voting Members for each Electoral District in which the number of candidates is greater than the number of Members to be elected Registrants.

5.14.3 A Member Registrant who is eligible to vote and who does not receive, or loses, his or her secure access to a ballot may apply to the Registrar for replacement secure access to a ballot and the Registrar shall provide the Member Registrant with a replacement.

5.15 Voting.

5.15.1 A ballot shall clearly indicate the candidates of the voting Member Registrant’s choice and shall be submitted so that it is received not later than 5:00 p.m. on the day of the election.

5.15.2 For each ballot cast, the scrutineers shall ascertain that each voting Member Registrant is eligible to vote according to the list prepared by the Registrar.

5.15.3 The votes scrutineers shall be counted or verified by verify the scrutineers votes at the head office of the College on the day following the election.

5.15.4 The verification of the votes by the scrutineers shall be conducted in such a manner that no person shall will know for whom any voting Member Registrant has voted.

5.15.5 The only persons permitted to be present during the verification shall will be the scrutineers, the Registrar, such staff of the College as the Registrar authorizes, and the candidates. A candidate may appoint one (1) person to represent the candidate at the verification.

5.15.6 If the scrutineers cannot agree on any matter relating to the verification, the matter shall be decided by the Registrar.

5.15.7 Upon completing the verification, the scrutineers shall prepare for each Electoral District a return, in duplicate, setting out the number of votes cast for each candidate and the number of spoiled ballots. The returns shall be filed a return and file the return with the Registrar for each Electoral District.

5.15.8 In an election where only one candidate is to be elected, the successful candidate is the eligible candidate with the highest number of votes.

5.15.9 In an election where more than one candidate is to be elected, the successful pharmacist candidates are in an election will be those eligible candidates with the highest and next highest number of votes and so on until the number of successful pharmacist candidates equals the number of persons pharmacists to be elected in that election.
The successful pharmacy technician candidate in an election where one pharmacy technician is to be elected will be the one with the highest number of votes. If more than one (1) pharmacy technician is to be elected in an election, the successful pharmacy technician candidates will be those with the highest and next highest number of votes until all positions are filled.

Upon receiving the returns from the scrutineers, the Registrar shall declare the candidate(s) who received the largest number of votes in each Electoral District to be elected as Elected Directors and shall declare that the pharmacy technician or technicians who were successful to be elected as members of the Council, and shall notify each candidate of the election results.

The Registrar shall retain the ballots or the records of the ballots for thirty (30) days from the date the votes were counted and shall then destroy the ballots or the records of the ballots unless a candidate requests a recount.

In any election in an Electoral District in which a Member is eligible to vote, a Member may cast as many votes as there are members of Council to be elected in that Electoral District in that election. For the election to be held in August 2020, each Registrant may vote for up to five (5) pharmacist candidates and up to two (2) pharmacy technician candidates.

A Member shall not cast more than one vote for any one candidate.

In each annual election beginning in August 2021, each Registrant may vote for up to the number of pharmacy technician candidates as there are pharmacy technician vacancies on the Board and for up to the number of pharmacist candidates as there are pharmacist vacancies on the Board.

If there is a tie in an election of members of Council and it is necessary to break the tie to determine who will be the successful candidate, the Registrar shall break the tie, by lot, and then declare the candidate elected.

A candidate may make a written request to the Registrar for a recount, no more than thirty (30) days after the date of an election, upon paying the election recount fee to the Registrar.

If a recount is requested, the Registrar shall appoint a time and place for the recount. The Registrar shall hold the recount no more than fifteen (15) days after receiving the request.

The recount shall be conducted in the same manner as the original counting and verification.
of votes, except that the votes shall be counted and verified by two (2) persons appointed by the President, and who were not scrutineers in the election.

5.20.4 The candidate may be present for the recount.

5.20.5 The election recount fee shall be refunded to the candidate if the outcome of the election is changed in his or her favour as a result of the recount.

5.18 5.21 Interruption of Service.

5.18.1 Where there is an interruption of mail or electronic service during the nomination application period or election, the Registrar shall extend the deadline for applications and the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption.

5.19 5.22 Conduct of Council Members Directors.

5.19.1 An elected member of Council Elected Director is automatically disqualified from sitting on Council the Board if the elected member of Council Elected Director:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(b) is found to be an incapacitated Member Registrant by a panel of the Fitness to Practise Committee.

5.19.2 The grounds for taking formal governance action may be taken against a member of Council are Director, in accordance with subparagraphs 5.19.3, where the Council member Director:

(a) fails, or does not make himself or herself available, without cause, to attend three (3) consecutive meetings of Council the Board;

(b) fails, or does not make himself or herself available, without cause, to attend three (3) consecutive meetings of a Committee of which he or she is a member, or fails without cause to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;

(c) in the case of an elected member of Council, ceases to practise or reside in the Electoral District to which the member of Council was elected; fails, or does not make himself or herself available, without cause, to attend Director education and evaluation activities hosted by the College from time to time;

(d) is in default of payment of any fees prescribed in the By-Laws;
(e) is or becomes an employee, officer or director of a Professional Advocacy Association; (however, for greater certainty, a member of Council Director shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Council Board as a representative of the College);

(f) in the case of a dean of a faculty of pharmacy who is a Member Registrant,

(i) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(ii) is found to be an incapacitated Member Registrant by a panel of the Fitness to Practise Committee;

(g) initiates litigation against the College, the Council, a committee of the Council or a panel of a committee of the Council Board, a Committee or any of its directors, the College’s officers, employees or agents; or

(h) engages in conduct or an omission that is reasonably regarded by Council member the Board as being disgraceful, dishonourable, unprofessional or unbecoming a Council member Director.

5.19.3 The In the event of a concern or complaint regarding the conduct of a Director, the following procedure shall be followed—when taking formal governance action:

(a) a written the person raising the concern or complaint shall be filed with the Registrar. A complaint can be made by a member of the public, a Council member or Committee member or by the Registrar report it to any of the Past-Chair, the Chair, the Registrar or the Vice-Chair who shall bring the concern or complaint to the Governance Committee. The concern or complaint will also be disclosed to the Director in question;

(b) the Registrar shall disclose the complaint to the Council member and shall report the complaint to the President or the Vice-President who shall bring the complaint to the Executive Committee. If the Executive if the Governance Committee is unable to address the concern or complaint, the Executive Committee may appoint another Committee to fulfill the Governance Committee’s duties under subparagraph 5.22.3 or perform such duties itself;

(c) if the Executive Governance Committee or other Committee, after any inquiry it deems appropriate, concludes that the concern or complaint warrants formal investigation, it shall appoint an independent third party, such as a retired Judge or a senior lawyer
who does not otherwise act for the College, to conduct the investigation. In addition to any other investigative steps, the independent third party shall notify the Council member of the complaint and Director of his or her right to retain a lawyer and shall provide an opportunity for the Council member Director to respond to the concern or complaint;

(d) as soon as feasible, the independent third party shall report the results of the investigation in writing to the Executive Governance Committee or other Committee and to the Council member Director. The report shall include the independent third party’s findings of fact and his or her opinion as to whether grounds for taking formal governance action against the Council member Director set out in subparagraph 5.19.2 have been met and, if so, the apparent significance of the breach;

(e) if the Governance Committee Executive or other Committee determines that formal governance action is warranted it shall be placed on the agenda of the next regular Council Board meeting unless a special meeting is called before then to address the matter. Participation in the investigation and referral process does not render the members of the Executive Governance Committee or other Committee ineligible to participate and vote on the matter at Council the Board;

(f) before taking the Board decides whether to take formal governance action, Council the Director shall afford the Council member be afforded an opportunity to address the Council Board for a period of time permitted by the Council of no less than one (1) hour. However, the Council member The Director shall not take part in the deliberation or vote;

(g) Council the Board shall determine whether grounds for taking formal governance action against the Council member Director set out in subparagraph 5.19.2 have been met and, if so, whether the breach warrants the imposition of a governance sanction;

(h) the determination that grounds for taking formal governance action against the Council member Director set out in subparagraph 5.19.2 have been met and the determination to impose a formal governance sanction pursuant to subparagraph 5.19.4 must be approved by a vote of at least two-thirds (2/3) of the Council member Directors eligible to vote. The vote shall will be a recorded vote; and

(i) where the Board determines that grounds for taking formal governance action against the Director set out in subparagraph
5.19.2 have not been met and that formal governance action is not warranted, the Board may direct the College to reimburse the Director for all or part of the Director’s legal expenses.

5.19.4 (i) the formal governance sanction imposed by the Council under subparagraph 5.19.3(g) may include one or more of the following:

(i) censure of the Council member verbally or in writing;

(ii) disqualification of an elected member of Council from the Council Board;

(iii) where the Director is a Public Director, sending a copy of the independent third party’s report and the Council Board’s determination to the Ministry of Health and Long-Term Care respecting a person appointed by the Lieutenant Governor in Council; or

(iv) where the Director is a dean of a faculty of pharmacy, sending a copy of the independent third party’s report and the Council Board’s determination to the applicable Ontario university respecting a Council member who is a dean of a faculty of pharmacy; and

(j) where Council determines that grounds for taking formal governance action against the Council member set out in subparagraph 5.22.2 have not been met and that formal governance action is not warranted, Council may direct the College to reimburse the Council member for all or part of the Council member’s legal expenses.

5.19.5 An elected member of Council who is disqualified from sitting on the Council Board is thereby removed from the Council Board and ceases to be a member of Council.

5.20 Filling of Vacancies.

5.20.1 Upon the proclamation of section 30 of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this paragraph shall be subject to any provisions of the RHPA Regulations respecting the filling of vacancies arising on the Council Board.

5.20.2 If the seat of an elected member of Council becomes vacant not more than twelve (12) months before the expiry of the term of office of that elected member of Council, the Council Board may:
(a) leave the seat vacant; or position vacant, if the number of Elected Directors remaining on the Board is nine (9) or more;

(b) declare the eligible Registrant with the next highest number of votes in the election immediately prior to the vacancy who was not elected to be acclaimed to the vacant position; or

(c) direct the Registrar to hold a by-election in accordance with this By-Law for the Electoral District in which the elected member of Council sat, an Elected Director who meets the criteria of the Director Profile for the election immediately prior to the vacancy, except if the by-election is held at the same time as an annual election, in which case the Director Profile developed for that annual election will apply.

5.20.3 If the seat position of an elected member of Council, Elected Director becomes vacant more than twelve (12) months before the expiry of the term of office of that member of Council, the Council shall direct the Registrar to hold a by-election for the Electoral District in which the elected member of Council sat, Elected Director, the Board shall:

(a) declare the eligible Registrant with the next highest number of votes in the election immediately prior to the vacancy who was not elected to be acclaimed to the vacant position; or

(b) direct the Registrar to hold a by-election in accordance with this By-Law for an Elected Director who meets the criteria of the Director Profile for the election immediately prior to the vacancy, except if the by-election is held at the same time as an annual election, in which case the Director Profile developed for that annual election will apply.

5.20.4 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of by-elections, with all necessary modifications.

5.23.5 The term of office of an Elected Director acclaimed or elected in a by-election under subparagraph 5.20.5 shall commence upon acclamation or election and shall continue until the term of office of the former member of Council, Elected Director would have expired.

5.21 Supplementary Election Procedures.

5.21.1 If no nominations are received in an Electoral District, the Screening Committee fails to identify a sufficient number of applicants who are qualified as candidates for election by the deadline referred to in subparagraph 5.23.2 or 5.10.5, or if the number of eligible candidates nominated for an Electoral
District by the deadline is less than the number of members, Elected Directors, to be elected in that Electoral District, there shall be a supplementary election.

5.21.2 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of supplementary elections, with all necessary modifications.

5.21.3 The term of office of a member of Council, an Elected Director elected in a supplementary election under paragraph 5.24 shall commence upon acclamation or election and shall continue until the end of the term of office prescribed in paragraph 5.7 for a member elected in the Electoral District in which that member was elected that would have been held had an Elected Director been elected to that position on the Board in the applicable August election.

ARTICLE 6
BOARD MEETINGS OF COUNCIL

6.1 Meetings of Council.

6.1.1 The Council Board shall hold at least four (4) regular meetings in the one (1)-year period following each annual August election of members to the Council Elected Directors. The first regular Council Board meeting shall take place within ninety (90) days following the August election. The dates for the remaining regular Council Board meetings shall be set no later than the first regular Council Board meeting following the August election.

6.1.2 The President Chair may call a special meeting of Council the Board at any time, provided that notice is given in accordance with the Pharmacy Act Regulations, the Code and this By-Law to each member of Council Director, the Members Registrants and the public, specifying the purpose of the meeting.

6.1.3 The College shall post on its website information regarding upcoming meetings of Council the Board, including:

(a) the dates of those meetings;

(b) matters to be discussed at those meetings; and

(c) information and documentation that will be provided to members of Council Directors for the purpose of those meetings, provided that information and documentation related to any meeting or part of a meeting from which the public is excluded by Council the Board shall not be posted; and if the Registrar anticipates that Council the Board will exclude the public from the meeting or part of the meeting, the grounds for doing so.
6.1.4 Subject to subparagraphs 6.1.2 and 6.1.3, notice of any special meeting of Council shall be sufficient if provided to each member of Council at his or her specified email address as shown in the records of the College.

6.1.5 The President or, in his or her absence or failure to act, the Vice-President, shall call a special meeting of Council upon the written request of two-thirds (2/3) of the members of Council. In the event that the President or Vice-President are both unable, or fail, to call a meeting of Council, two-thirds (2/3) of the members of Council, or the President or Vice-President, may call a meeting upon their written request delivered to the Registrar. Notice of the special meeting shall be given as set out in subparagraphs 6.1.2 to 6.1.4.

6.1.6 Meetings of Council shall be held at the permanent office of the College, or at such other place or places as the Council may designate.

6.1.7 The quorum for the transaction of business at any meeting of the Council shall be a majority of members of Council.

6.1.8 Unless specifically provided for otherwise in the By-Law, any question arising at any meeting of the Council shall be determined by a majority of votes of members of Council present at the meeting and eligible to vote. In the event of a tie vote, the Chair shall break the tie with an additional vote.

6.1.9 At the regular meetings of the Council, the business shall include:

(a) noting the names of the Council members present and absent;
(b) approving the agenda;
(c) notice of motions intended to be introduced;
(d) motions, notice of which has been previously given;
(e) inquiries;
(f) reports of Committees and consideration thereof;
(g) unfinished business from previous meetings;
(h) items for the information of Council members;
(i) any referral for formal governance action made under subparagraph 5.22.3;
(j) other matters; and
(k) adjournment.
6.1.10 An item of business may be excluded only with the consent of two-thirds (2/3) of the members of Council present at a meeting and eligible to vote.

6.1.11 A Council member, Director may place any item that can properly be discussed by Council on the Council Board agenda by making a notice of motion. Notices of all motions intended to be introduced shall be given in writing, seconded, and given to the Chair before being considered at a meeting of the Council Board on a day previous to the discussion or vote thereon unless this requirement is dispensed with by a vote of at least two-thirds (2/3) of all the members of Council Directors present at the meeting and eligible to vote.

6.1.12 The Rules of Order set out in Schedule C of this By-Law apply to the conduct of Council Board meetings.

6.2 Meetings Held By Technological Means.

6.2.1 If two-thirds (2/3) of all Directors, or of members of Council, or of a Committee (as the case requires), who are eligible to vote consent thereto generally or in respect of a particular meeting, and each has adequate access, Directors or members of Council or of a Committee may participate in a meeting of, respectively, Council or of a Committee, by means of such conference telephone or other communications facilities as permit all persons participating in the meeting to hear each other, and a Director or member of Council or of a Committee participating in such a meeting by such means is deemed to be present at the meeting.

6.2.2 At the outset of each meeting referred to in paragraph 6.2.1, subparagraph 6.2.1, the Chair shall call roll to establish quorum and whenever votes are required. If the Chair is not satisfied that the meeting may proceed with adequate security and confidentiality, he or she shall adjourn the meeting to a predetermined date, time and place, unless a majority of the Council or Committee members (as the case may be) present at such meeting and eligible to vote otherwise require.

ARTICLE 7

REMUNERATION AND EXPENSES

7.1 Remuneration and Expenses.

7.1.1 When they are on official College business, members of Council and Committees, Directors and Committee members, and participants in working groups and task forces, other than persons appointed by the Lieutenant Governor in Council, shall be paid the following: Public Directors, will be paid and/or reimbursed for expenses in accordance with a policy made by a resolution of the Board.

(a) a travel allowance, which shall consist of a rate for distance traveled of 45 cents per kilometre; or air fare, bus or rail fare, plus transportation to and from air, bus or train terminals;

(b) an expense allowance of $300.00 for each day when out of the community in which the
Council member resides;

(c) – an expense allowance of $210.00 in lieu of the daily allowance described in subparagraph 7.1.1(b), whenever arrival is necessary the night prior to a scheduled meeting;

(d) – a daily expense allowance of $165.00 when on College business in the community in which the Council member resides, which amounts include travel allowance.

7.1.2 If the Council appoints a Member, other than a Council or Committee member, to represent the College at a meeting or conference, the Member shall be reimbursed for expenses incurred at the rate set out in subparagraph 7.1.1, plus registration fees, if applicable. The Member shall not accept reimbursement for expenses from any other body.

7.1.3 An amount in excess of the amounts authorized under subparagraph 7.1.1 may be paid to a Council member or Committee member provided the amount was specifically included in the College budget for the year in which the expenses are incurred, or with the express, prior authorization of the Executive Committee.

ARTICLE 8
COMMITTEES OF THE COLLEGE

8.1 Statutory Committees under the Act.

8.1.1 Pursuant to the Act, the College shall have the following Committees:

(a) Executive Committee;

(b) Registration Committee;

(c) Inquiries, Complaints and Reports Committee;

(d) Discipline Committee;

(e) Fitness to Practise Committee;

(f) Quality Assurance Committee; and

(g) Patient Relations Committee.

8.1.2 Subject to subparagraph 8.1.3, the composition of the Committees referred to in subparagraphs 8.1.1(a) to 8.1.1(g) shall be as set out in this By-Law and the duties shall be as set out in the Act and the By-Law.

8.1.3 Upon the proclamation of section 5(2) of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this Article 8 as they relate to the Committees referred to in subparagraphs 8.1.1(a) to 8.1.1(g), shall be subject to the provisions of the RHPA Regulations, if any, that relate to such Committees, including, for example, provisions:
(a) establishing the composition of such Committees;

(b) establishing the qualifications, screening, appointment and terms of office of members of such Committees who are not members of Council Directors; and

(c) governing the relationship between such provisions and the By-Law.

8.2 Statutory Committee under the Pharmacy Act.

Pursuant to the Pharmacy Act, the College shall have an Accreditation Committee, the composition of which is set out in this By-Law and the duties of which are set out in the Drug and Pharmacies Regulation Act and this By-Law.

8.3 Standing Committees.

In addition to the Statutory Committees, the College shall establish the following standing Committees, the composition and duties of which are set out in this By-Law:

8.3.1 Finance and Audit Committee;

8.3.2 Screening Committee;

8.3.3 Elections Governance Committee; and

8.3.4 Drug Preparation Premises Committee.

8.4 Appointment of Special Committees.

The Board may, from time to time, appoint such special Committees, task forces and working groups as it deems appropriate or necessary for the attainment of the objects of the College and the efficient conduct of its affairs. Every special Committee, task force or working group shall have specified terms of reference and a date upon which it shall dissolve.

8.5 Reporting of Committees. All Committees, with the exception of the Discipline Committee and the Fitness to Practise Committee, shall report to the Council through the Executive Committee. Reporting of Committees.

8.6 Non-Council Committee Members.

(a) This paragraph 8.6 applies with respect to the appointment of Members who are not members of Council to a Committee.

(b) Subject to subparagraph 8.1.3, a Member is eligible for appointment to a Committee if, on the date of the appointment:

(a) the Member holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician;
(b) the Member either practises or resides in Ontario;

(c) the Member is not in default of payment of any fees prescribed in the By-Laws;

(d) the Member has not been found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(e) the Member is not the subject of any disciplinary or incapacity proceeding;

(f) the Member’s Certificate of Registration has not been revoked or suspended in the six (6) years preceding the date of the appointment;

(g) the Member’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;

(h) the Member has not been disqualified from serving on Council or a Committee within the six (6) years immediately preceding the appointment;

(i) the Member does not have a conflict of interest in respect of the Committee to which he or she is to be appointed; and

(j) the Member is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the appointment, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third (3rd) time or more after the initial inspection.

(k) the Member is not an employee, officer or director of a Professional Advocacy Association or, if the Member is such an employee, officer or director of a Professional Advocacy Association the Member gives an undertaking to resign from such position upon being appointed (however, for greater certainty, a member of a Committee shall not be ineligible by reason of serving on an association or organization to which he or she has been appointed by the Council as a representative of the College).

8.7 Appointment of Elections Committee. The Elections Committee shall be formed at the last regular meeting of the Council preceding the annual election of members to the Council. The members of the Elections Committee shall be appointed by the President, subject to the approval of the Council. The Elections Committee shall appoint its own Chair. All appointments to the Elections Committee shall be for a term that expires at the last regular meeting of the Council preceding the next year’s election.

8.8 Appointment of Drug Preparation Premises Committee. The Drug Preparation Premises Committee shall be formed at the first regular meeting of Council after each annual August election and appointments to it shall be in accordance with paragraph 8.9.

8.9 Appointments to Statutory and Standing Committees. All Statutory and standing Committee appointments, with the exception of the Elections Committee, shall be made by the Council at the first regular meeting of Council after each annual August election, and shall be for a term that expires at the first regular meeting of Council after the following election. The appointments to all Statutory and standing Committees, with the exception of the Elections Committee, shall be made in the following manner:

8.9.1 A Nominating Committee shall be formed on the first day of the Council meeting, consisting
of the newly elected President and Vice-President, one (1) elected Council member and one (1) Council member appointed by the Lieutenant Governor in Council, such Committee members to be elected from among those Council members present. The Committee shall appoint its own Chair.

8.9.2 The Elections Committee shall give its report, consisting of the names of all members of Council who have expressed interest or willingness to sit on or chair a Committee, to the Nominating Committee.

8.9.3 The Nominating Committee shall nominate all eligible Council members who agree to sit on the Executive Committee and all eligible Council members who agree to chair the other Statutory Committees and standing Committees. The Chair of the Nominating Committee shall present the nominations to Council.

8.9.4 Elections to the Executive Committee:

(a) The President shall call for further nominations for the open positions on the Executive Committee;

(b) Should the number of nominees who are Members match the number of open positions on the Executive Committee for members of the Council who are Members in accordance with the Committee composition provisions of this By-Law, all such nominees shall be declared appointed;

(c) Should the number of nominees who are appointed by the Lieutenant Governor-in-Council match the number of open positions on the Executive Committee for members of the Council appointed by the Lieutenant Governor-in-Council in accordance with the Committee composition provisions of this By-Law, all such nominees shall be declared appointed; and

(d) Should the number of nominees in either category exceed the number of open positions in that category, an election shall be held following the procedure in subparagraph 10.1.2(b).

Should there be more than one open position in a category, Council members shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who received the fewest votes shall then be removed from the ballot, and the voting will continue until the number of candidates remaining matches the number of open positions in the category, and such candidates shall be declared appointed. Council members may only cast one vote per candidate on each ballot.

8.9.5 The President shall call for further nominations from among the Council members for Chairs of the other Statutory Committees and of the standing Committees. If more than one person is nominated to serve as Chair of a Committee, an election shall be held following the procedure in subparagraph 10.1.2(b).

8.9.6 The Nominating Committee shall confer with the newly elected Chair of each statutory and standing Committee to consider the appointment of the remaining members to that Committee in accordance with the Committee composition provisions of this By-Law. The Nominating Committee shall then prepare a report with respect to the proposed membership of each Committee, which the Chair of the Nominating Committee shall present to the Council for its approval. In making this report the Nominating Committee shall consider the benefits of having minimal overlap between the composition of the Executive Committee
8.10 — Disqualification, Vacancies and Term Limits of Committee Members.

8.10.1 A member of a Committee is disqualified from sitting on the Committee if the member:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(b) is found to be an incapacitated Member by a panel of the Fitness to Practise Committee.

8.10.2 The Council may disqualify a member of a Committee from sitting on the Committee if the member:

(a) fails, without cause, to attend three (3) consecutive meetings of the Committee or of a subcommittee of which he or she is a member;

(b) fails, without cause, to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;

(c) ceases to either practise or reside in Ontario;

(d) is in default of payment of any fees prescribed in the By-Laws;

(e) becomes an employee, officer or director of a Professional Advocacy Association (however, for greater certainty, a member of a Committee shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Council as a representative of the College);

(f) breaches the provisions of the By-Laws, including the Schedules to the By-Laws, or the policies and procedures of the College in force at the relevant time; or

(g) in the case of a member of Council who sits on a Committee, ceases to be a member of Council.

8.10.3 A person who is disqualified under subparagraph 8.10.1 or 8.10.2 from sitting on a Committee is thereby removed from the Committee and ceases to be a member of the Committee and, subject to subparagraph 8.10.5, the President shall appoint a successor as soon after the disqualification as is feasible.

8.10.4 The term of office of a person who is appointed as a successor to a Committee member under subparagraph 8.10.3 shall commence upon the appointment and shall continue until the term of office of the member of the Committee who is being replaced would have expired.

8.10.5 A vacancy in the membership or chair of a Committee shall be filled by appointment made by the President. In the case of a vacancy in the membership of a Committee, the President shall consult with the Chair of the Committee before making the appointment.

8.10.6 Nothing in paragraph 8.10 prevents the Council, or the Executive Committee acting on its behalf, from adding members to or removing members from a Committee at any time for administrative or logistical reasons.
8.11 Quorum. Unless specifically provided for otherwise under the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act, or the regulations under any of those Acts, a majority of the members of a Committee constitutes a quorum for a meeting of a Committee.

8.12 Voting. Unless specifically provided for otherwise under the Act, the Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act, the regulations under any of those Acts, or this By-Law, any question arising at any meeting of a Committee shall be determined by a majority of votes of members of the Committee present at the meeting and eligible to vote.

8.13 Vacancies. Where this By-Law requires a Committee to have a minimum number of persons by using the phrase “at least” or words of a similar meaning, a vacancy which reduces the number of members of the Committee below the minimum number shall not affect the validity of any action or decision taken by the Committee or any panel of the Committee.

All Committees shall report at least annually to the Board.

ARTICLE 9
COMPOSITION AND DUTIES OF STATUTORY AND STANDING COMMITTEES

9.1 Article Subject to RHPA Regulations.

Upon the proclamation of section 5(2) of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this Article 9 as they relate to the Committees referred to in subparagraphs 8.1.1(a) to 8.1.1(g), shall be subject to the provisions of the RHPA Regulations, if any, that relate to such Committees.

9.2 Composition of the Executive Committee.

The Executive Committee shall be composed of:

9.2.1 the President and the Vice-President; the Chair and the Vice-Chair, and three (3) additional Directors, one (1) of whom shall be an Elected Director and two (2) of whom shall be Public Directors.

9.2.2 the immediate past President if he or she is a current member of Council; and

9.2.3 the minimum number of additional members of the Council as will ensure that the Committee consists of four members (4) of the Council who are Members and three (3) members of the Council who are appointed by the Lieutenant Governor in Council.

9.3 Chair of the Executive Committee.

The President shall be the Chair of the Executive Committee.

9.4 Duties of the Executive Committee.

9.4.1 perform such functions as are assigned to it by statute or regulation;
9.4.2 recommend to the Council proposals for changes to applicable statutes, regulations, By-Laws, policies and practices;

9.4.3 submit an annual report to the Council in accordance with the Code;

The Executive Committee shall:

9.4.1 9.4.4 in accordance with section 12 (1) of the Code, exercise all the powers and duties of the Council Board between Council Board meetings that, in the Committee’s opinion, requires attention, other than the power to make, amend or revoke a regulation or by-law.

9.4.5 review correspondence and other documents relating to the policies of the College;

9.4.6 receive reports from other Committees and report the activities of those Committees to Council at regular meetings of the Council;

9.4.7 receive findings and recommendations from the Governance Committee pursuant to subparagraph 5.9.2, 5.10, take such action in respect of the person who is the subject of the findings and recommendations as it deems appropriate, and report its decision to the Council Board;

9.4.8 have the following financial authorities:

(a) to approve all required operating expenditures not included in the operating budget, to a limit of $20,000.00 per item, and $100,000.00 in total per year;

(b) to approve all required capital expenditures not included in the budget to a limit of $100,000.00;

(c) items over the limits prescribed in subparagraphs 9.4.8(a) and (b) above shall be referred to the Council;

9.4.9 recommend general policy to the Council;

9.4.10 ensure that the policies of the Council Board are carried out;

9.4.11 report its activities, decisions and recommendations through the President Chair at each meeting of the Council Board; and

9.4.12 have the following authorities with respect to staff compensation:

(a) annually, establish guidelines for the awarding of salary increases to staff;

(b) at least annually, review compensation for the Registrar; and
provide broad policy guidance to senior management on matters related to non-salary compensation and benefit programs for College staff.

9.5 Composition of the Registration Committee.

The Registration Committee shall be composed of:

9.5.1 at least two (2) members of Council who are Members; two (2) Public Directors;

9.5.2 at least two (2) members of Council appointed to the Council by the Lieutenant Governor in Council; five (5) or more Professional Committee Appointees;

9.5.3 at least one (1) Member who is not a member of Council; the discretion of the Governance Committee, one (1) or more Lay Committee Appointees;

9.5.4 a dean of a faculty or school of a pharmacy program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs, or his or her designate as approved by the Council; and

9.5.5 a representative of a pharmacy technician program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs.

9.6 Duties of the Registration Committee.

9.6.1 The Registration Committee shall:

(a) 9.6.1 perform such functions as are assigned to it by statute or regulation; and

9.6.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;

9.6.3 submit an annual report to the Council in accordance with the Code;

9.6.4 provide guidance to the Council on matters concerning registration, examinations and in-service training required prior to registration; and

(b) 9.6.5 maintain familiarity with the accreditation standards that the Canadian Council for Accreditation of Pharmacy Programs sets for all pharmacy and pharmacy technician programs that it accredits.

9.6.2 The Registration Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning registration, examinations and in-service training required prior to registration.
9.7 Composition of the Inquiries, Complaints and Reports Committee.

The Inquiries, Complaints and Reports Committee shall be composed of:

9.7.1 at least five (5) members of the Council who are Members; all of the Public Directors;

9.7.2 at least five (5) members of the Council appointed to the Council by the Lieutenant Governor in Council; and ten (10) or more Professional Committee Appointees; and

9.7.3 at least seven (7) Members who are not members of the Council, at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.8 Duties of the Inquiries, Complaints and Reports Committee.

9.8.1 The Inquiries, Complaints and Reports Committee shall perform such functions as are assigned to it by statute or regulation.

9.8.2 The Inquiries, Complaints and Reports Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Council, through the Executive Committee, Board changes to applicable statutes, regulations, By-Laws, College policies and practices, standards of practice; and

(b) submit an annual report to the Council in accordance with the Code; and

9.8.3 provide guidance to the Council/Board on matters concerning investigations, complaints and reports.

9.9 Composition of the Discipline Committee.

The Discipline Committee shall be composed of:

9.9.1 at least six (6) members of the Council who are Members; all of the Elected Directors;

9.9.2 at least six (6) members of the Council appointed to the Council by the Lieutenant Governor in Council; and all of the Public Directors except those who are on the Accreditation Committee;

9.9.3 ten (10) or more Professional Committee Appointees who are not on the Accreditation Committee; and

9.9.4 at least five (5) Members who are not members of the Council, at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees who are not on the Accreditation Committee.
9.10 **Duties of the Discipline Committee.**

9.10.1 The Discipline Committee shall perform such functions as are assigned to it by statute or regulation.

9.10.2 The Discipline Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, College policies and practices, standards of practice; and

(b) submit an annual report to the Council in accordance with the Code; and

9.10.3—provide guidance to the Council on matters concerning discipline.

9.11 **Composition of the Fitness to Practise Committee.**

The Fitness to Practise Committee shall be composed of:

9.11.1 at least two (2) members of the Council who are Members; two (2) Public Directors;

9.11.2 at least two (2) members of the Council appointed to the Council by the Lieutenant Governor in Council; and two (2) or more Professional Committee Appointees; and

9.11.3 at least one (1) Member who is not a member of Council.

9.12 **Duties of the Fitness to Practise Committee.**

9.12.1 The Fitness to Practise Committee shall perform such functions as are assigned to it by statute or regulation.

9.12.2 The Fitness to Practise Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, College policies and practices, standards of practice; and

(b) provide guidance to the Council on matters concerning fitness to practise.

9.13 **Composition of the Quality Assurance Committee.**

The Quality Assurance Committee shall be composed of:
9.13.1 at least two (2) members of the Council who are Members; two (2) Public Directors; 

9.13.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and five (5) or more Professional Committee Appointees; and 

9.13.3 at least three (3) Members who are not members of the Council the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.14 Duties of the Quality Assurance Committee.

9.14.1 perform such functions as are assigned to it by statute or regulation; The Quality Assurance Committee shall:

9.14.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;

9.14.3 submit an annual report to the Council in accordance with the Code; 

(a) provide guidance to the Council on matters concerning quality assurance, and perform such functions as are assigned to it by statute or regulation; and 

(b) maintain a continuing review of the Quality Assurance Program.

9.14.2 The Quality Assurance Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and

(b) provide guidance to the Board on matters concerning quality assurance.

9.15 Composition of the Patient Relations Committee.

The Patient Relations Committee shall be composed of:

9.15.1 at least two (2) members of the Council who are Members; two (2) or more Professional Committee Appointees; and

9.15.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and

9.15.2 at least one (1) Member who is not a member of Council the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.16 Duties of the Patient Relations Committee.
9.16.1 The Patient Relations Committee shall perform such functions as are assigned to it by statute or regulation.

9.16.2 The Patient Relations Committee may be required by the Board from time in the Board’s discretion to:

(a) recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, College policies and practices, standards of practice; and

(b) submit an annual report to the Council in accordance with the Code; and

9.16.3 provide guidance to the Council on matters concerning patient relations.

9.17 Composition of the Accreditation Committee.

The Accreditation Committee shall be composed of:

9.17.1 at least two (2) members of the Council who are Members; two (2) Public Directors;

9.17.2 at least two (2) members of the Council appointed to the Council by the Lieutenant Governor in Council; and three (3) or more Professional Committee Appointees; and

9.17.3 at least two (2) Members who are not members of Council, the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.

9.18 Duties of the Accreditation Committee.

9.18.1 The Accreditation Committee shall perform such functions as are assigned to it by statute or regulation;

9.18.2 The Accreditation Committee may be required by the Board from time to time in the Board’s discretion to:

(a) recommend to the Council, through the Executive Committee, Board changes to applicable statutes, regulations, By-Laws, College policies and practices, standards of practice; and

(b) submit an annual report to the Council; and

9.18.3 provide guidance to the Council on matters concerning accreditation.

9.19 Composition of the Finance and Audit Committee.

The Finance and Audit Committee shall be composed of:

9.19.1 two (2) or more Elected Directors; and
9.19.2 9.19.1 at least three (3) members of the Council who are Members; and
9.19.3 9.19.2 at least one (1) member of Council appointed to the Council by the Lieutenant Governor in Council, the discretion of the Governance Committee, two (2) or more Lay Committee Appointees.

9.20 Duties of the Finance and Audit Committee.

The Finance and Audit Committee shall:

9.20.1 review and recommend to the Council, through the Executive Committee, the annual operating and capital budget for the College;
9.20.2 maintain a rolling two (2) year operating budget;
9.20.3 review quarterly financial statements and report to the Council, through the Executive Committee, significant deviations from budget;
9.20.4 meet with the auditor each year,
   (a) before the audit to review the timing and extent of the audit and to bring to the attention of the auditor any matter of which it considers the auditor should be made aware; and
   (b) as shortly after the completion of the audit as is practical, in order to review and discuss with the auditor the financial statements and the auditor’s report;
9.20.5 review and report to the Council, through the Executive Committee, on the effectiveness of the external audit function and any matter which the external auditor wishes to bring to the attention of the College;
9.20.6 make recommendations to the Council, through the Executive Committee, on the appointment or reappointment of the external auditor;
9.20.7 make recommendations to the Council through the Executive Committee regarding the management of the College’s assets and liabilities and additions or improvements to the real property owned or operated by the College; and
9.20.8 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, College policies and practices, standards of practice.

9.21 Composition of the Elections Screening Committee.

The Elections Committee shall be composed of:

The Screening Committee shall be composed of:
9.21.1 at least one (1) member of Council who is a Member; the chair of the Governance Committee;

9.21.2 at least one (1) member of Council appointed by the Lieutenant Governor in Council; and two (2) additional Directors, one (1) or more of whom shall be a Public Director; and

9.21.3 the President; two (2) or more Lay Committee Appointees.

9.22 Duties of the Elections Screening Committee. — The Elections Committee shall:

The Screening Committee shall:

9.22.1 invite expressions of interest in sitting on and chairing Committees from all members of Council. Where there are not sufficient expressions of interest to fill every Committee, the Elections Committee shall use its best efforts to recruit additional Committee members sufficient to fully constitute every Committee; administer the process for screening applicants to be qualified as candidates for the Board in accordance with paragraph 5.10; and

9.22.2 seek candidates for the offices of President and Vice-President; review applications and recommend applicants to be appointed as Professional Committee Appointees or Lay Committee Appointees.

9.23 Composition of the Governance Committee.

The Governance Committee shall be composed of:

9.23.1 four (4) Directors, including the Vice-Chair (who shall be the chair of the Governance Committee) and one (1) or more of each of the following: a Public Director, a pharmacist Elected Director and a pharmacy technician Elected Director; and

9.23.2 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.


The Governance Committee shall:

9.24.1 assess the collective knowledge, skills and experience of the current Board in order to:

i) determine the competencies the Board will be seeking in the upcoming election and develop the Director Profile; and

ii) 9.22.3 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices; and consider and implement the succession strategy for the
positions of Chair, Vice-Chair and member of the Executive Committee, in order to determine which Directors are qualified for the purpose of paragraph 12.1;

9.24.2 perform the duties assigned to it under subparagraph 5.9.2.

9.24.3 recommend a slate of appointees for Committees;

9.24.4 oversee the processes for orientation of Directors and members of Committees;

9.24.5 oversee the process to evaluate the performance of Committees, the Board as a whole, as well as individual Directors and Committee appointees;

9.24.6 identify and recommend opportunities for education, training, coaching and remediation of Directors and Committee members;

9.24.7 in the event of a dispute as set out in subparagraph 5.10.7, conduct an investigation and report findings and recommendations to the Executive Committee about whether a Registrant is eligible or qualified as a candidate for election; and

9.24.8 review By-Laws and Board policies for conformance with current legislative requirements and good governance best practices.


9.23.1 The Drug Preparation Premises Committee shall be composed of the same members as the Accreditation Committee. The Chair of the Accreditation Committee shall be the Chair of the Drug Preparation Premises Committee.

9.26 Duties of the Drug Preparation Premises Committee.

The Drug Preparation Premises Committee shall:

9.26.1 administer and govern the College’s Drug Preparation Premises inspection program in accordance with the Pharmacy Act Regulations; and

9.26.2 deal with any other matters concerning the inspection of Drug Preparation Premises as directed by the Council.

Article 10

DUTIES OF OFFICERS

10.1 Election of the President and the Vice-President.

10.1.1 The elections for President and Vice-President shall be held at the first regular meeting of the Council following the annual August election of Council members and shall be conducted using electronic voting methods.
10.1.2 The election of the President shall be conducted in the following manner:

(a) The outgoing President, or a person chosen by the Council, if the President is unable or unwilling to act, shall call on the Chair of the Elections Committee for the Elections Committee’s report. The Chair shall present the list of all candidates for the office of President and hand it to the outgoing President. The President shall read the list and shall ask “Are there any further nominations?” Any Council member may then rise and, after addressing the Chair, nominate any other Council member for President. It is not necessary for the nomination to be seconded.

(b) If there is more than one candidate, an election shall be held. The President shall declare the candidate receiving the overall majority of votes cast to be elected. If there are three (3) or more candidates and no candidate has received an overall majority of votes, the candidate who received the fewest votes shall be removed from the ballot and the vote shall be repeated until there are two candidates remaining. The vote shall then be repeated until one (1) of the candidates has an overall majority of votes. If three (3) votes result in a tie, the result shall be determined by lot by the Chair.

10.1.3 The procedure outlined in paragraph 10.1.2 shall then be repeated for the office of Vice-President.

10.2 Duties of the President Chair and the Vice-President Chair.

10.2.1 The President Chair shall:

(a) preside as Chair at all meetings of the Council; and

(b) make all necessary rulings as to the order of business, subject to an appeal to the Directors present; and

(c) be ex officio a member of all Committees of the Council, except the Discipline Committee.

10.2.2 The Vice-President Chair shall, in the event of the absence or inability of the President Chair to act, perform the duties of the President Chair.

10.2.3 In the event of the absence or inability of both the President Chair and the Vice-President Chair to act, the Directors present at a meeting of the Council may appoint one (1) of the other members of the Council Directors to preside at any meeting of the Council.

10.2.4 In the event of the death, or disqualification, or inability to act of a permanent nature of the President Chair or the Vice-President Chair, the Council shall elect Council Directors to fill these vacancies according to the provisions of these By-Laws.

10.2.5 Where the President Chair has lost the confidence of the Council, the Board may, on a notice of motion to that effect or at a special meeting of the Board, disqualify the President Chair from office by a
vote of at least two-thirds \(rac{2}{3}\) of the Council members Directors present and eligible to vote.

**ARTICLE 11**

**COMMITTEE APPOINTEES**

**11.1 Professional Committee Appointments.**

11.1.1 The application form for appointment as a Professional Committee Appointee shall be made available on the College’s website.

11.1.2 Subject to subparagraph 8.1.3, a Registrant is eligible for appointment to a Committee as a Professional Committee Appointee if the Registrant has completed and submitted an application form to the Screening Committee and on the date of the appointment:

(a) the Registrant holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician;

(b) the Registrant either practises or resides in Ontario;

(c) the Registrant is not in default of payment of any fees prescribed in this By-Law;

(d) the Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;

(e) the Registrant is not the subject of any disciplinary or incapacity proceeding;

(f) the Registrant is not currently charged with nor has been found guilty of an offence under the *Criminal Code* (Canada) or the *Controlled Drugs and Substances Act* (Canada);

(g) the Registrant has not, in the opinion of the Screening Committee, engaged in conduct unbecoming a Committee member;

(h) the Registrant’s Certificate of Registration has not been revoked or suspended in the six (6) years preceding the date of the appointment;

(i) the Registrant’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;

(j) the Registrant has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the appointment;
(k) the Registrant does not have a conflict of interest in respect of the Committee to which he or she seeks to be appointed;

(l) the Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the appointment, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection; and

(m) the Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association. For greater certainty, nothing in this clause will prevent a Registrant who serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from becoming a Professional Committee Appointee.

11.2 Lay Committee Appointees

11.2.1 The application form for appointment as a Lay Committee Appointee shall be made available on the College’s website.

11.2.2 An individual is eligible for appointment to a Committee as a Lay Committee Appointee if the individual has completed and submitted an application form to the Screening Committee and on the date of the appointment:

(a) the individual resides in Ontario;

(b) the individual has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the appointment;

(c) the individual has never been a Registrant;

(d) the individual has not been found to have committed an act of professional misconduct or to be incompetent by a panel of an adjudicatory committee of any profession;

(e) the individual is not the subject of any disciplinary or incapacity proceeding by a panel of an adjudicatory committee of any profession;

(f) the individual is not currently charged with nor has been found guilty of an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada);

(g) the individual has no direct or indirect ownership interest in a pharmacy other than holding shares on a publicly traded stock exchange;
(h) the individual does not have a conflict of interest in respect of the Committee to which he or she seeks to be appointed; and

(i) the individual is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association, or any professional advocacy association of any health profession under the Act. For greater certainty, nothing in this clause will prevent an individual who serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from running becoming a Lay Committee Appointee.

ARTICLE 12

ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE

12.1 Election of the Chair, Vice-Chair and Executive Committee.

12.1.1 At the first regular meeting of the Board after each annual August election, the Governance Committee shall present a report of all eligible Directors who are willing to serve as and have been assessed by the Governance Committee to be qualified for the role of (a) Chair, (b) Vice-Chair, and (c) member of the Executive Committee.

12.1.2 The election of the Chair shall be conducted in the following manner:

(a) The chair of the Governance Committee shall announce those who are willing to serve as and are qualified to be Chair.

(b) The chair of the Governance Committee shall call for further interest from the floor, and those additional Directors who are interested in running for Chair shall be added as candidates for election.

(c) If there is more than one (1) candidate, an election shall be held using electronic voting methods.

(d) The candidate receiving the overall majority of votes cast will be elected. If there are three (3) or more candidates and no candidate has received an overall majority of votes, the candidate who received the fewest votes will be removed from the ballot and the vote will be repeated until there are two (2) candidates remaining. The vote will then be repeated until one (1) of the candidates has an overall majority of votes. If three (3) votes result in a tie, the result will be determined by lot by the outgoing Chair.

12.1.3 The procedure outlined in subparagraph 12.1.2 will then be repeated for the office of Vice-Chair.
The Board shall elect the remaining members of the Executive Committee, in accordance with the composition requirements in paragraph 9.2. The election will be conducted in the following manner:

(a) The chair of the Governance Committee shall announce those who are willing to serve as and are qualified to be on the Executive Committee.

(b) The chair of the Governance Committee shall call for further interest from the floor, and those additional Directors who are interested in running for open positions on the Executive Committee shall be added as candidates for election.

(c) Should there be only one (1) candidate who is an Elected Director, such candidate shall be declared appointed.

(d) Should the number of candidates who are Public Directors match the number of open positions on the Executive Committee for Public Directors in accordance with paragraph 9.2, such candidates shall be declared appointed.

(e) Should the number of candidates in either category exceed the number of open positions in that category, an election shall be held following the procedure in subparagraph 12.1.2(c). Should there be more than one (1) open position in a category, Directors shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who receives the fewest votes will then be removed from the ballot, and the voting will continue until the number of candidates remaining matches the number of open positions in the category, and such candidates shall be declared appointed. Directors may only cast one (1) vote per candidate on each ballot.

ARTICLE 13
APPOINTMENTS TO COMMITTEES

13.1 Appointments to Statutory and Standing Committees.

13.1.1 All Statutory Committee and standing Committee appointments, with the exception of the Executive Committee and the Screening Committee, shall be made by the Board in accordance with this paragraph 13.1 at the first regular meeting of the Board after each annual August election, and shall be for a term that expires at the first regular meeting of the Board after the following election.

13.1.2 At the first regular meeting of the Board after each annual August election, the Governance Committee shall present to the Board a slate of candidates for all
13.1.3 For each Committee to be formed at the first regular meeting of the Board after each annual August election except for the Executive Committee, the Board shall pass a resolution approving the slate, subject to any amendments by Board resolution. Once approved, each candidate on the slate shall be deemed to have been appointed to that Committee.

13.2 Appointment of Screening Committee.

13.2.1 The Screening Committee for the election to the Board each year shall be appointed by the Board at the Board Meeting held in March in the year of the election. The members of the Screening Committee shall hold office for a term that expires at the first Board meeting following the election.

13.3 Committee Chairs

13.3.1 Following their formation, each Statutory Committee and standing Committee other than the Governance Committee, the Drug Preparation Premises Committee and the Executive Committee, shall select from among its members a chair of the Committee.

ARTICLE 14
COMMITTEE PROCEDURES

14.1 Disqualification, Vacancies and Term Limits of Committee Members.

14.1.1 A member of a Committee who is a Registrant is disqualified from sitting on the Committee if the member:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(b) is found to be an incapacitated Registrant by a panel of the Fitness to Practise Committee.

14.1.2 The Board may disqualified a member of a Committee from sitting on the Committee if the member:

(a) fails, without cause, to attend the orientation of members of Committees or three (3) consecutive meetings of the Committee or of a subcommittee of which he or she is a member;

(b) fails, without cause, to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;
(c) repeatedly fails to make himself or herself available to participate in meetings or panels of a Committee or Committees on which the member sits;

(d) ceases to either practise or reside in Ontario;

(e) is in default of payment of any fees prescribed in the By-Laws;

(f) becomes an employee, officer or director of a Professional Advocacy Association (however, for greater certainty, a member of a Committee will not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Board as a representative of the College);

(g) breaches the provisions of the By-Laws, including the Schedules to the By-Laws, or the policies and procedures of the College in force at the relevant time;

(h) in the case of a Director who sits on a Committee, ceases to be a Director;

(i) in the case of a Professional Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.1.2; or

(j) in the case of a Lay Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.2.2.

14.1.3 A person who is disqualified under subparagraph 14.1.1 or 14.1.2 from sitting on a Committee is thereby removed from the Committee and ceases to be a member of the Committee and, subject to subparagraph 14.1.5, the Chair shall appoint a successor as soon after the disqualification as is feasible.

14.1.4 The term of office of a person who is appointed as a successor to a Committee member under subparagraph 14.1.3 will commence upon the appointment and continue until the term of office of the member of the Committee who is being replaced would have expired.

14.1.5 A vacancy in the membership or chair of a Committee shall be filled by appointment made by the Chair. In the case of a vacancy in the membership of a Committee, the Chair shall consult with the chair of the Committee before making the appointment.

14.1.6 Nothing in paragraph 14.1 prevents the Board, or the Executive Committee acting on its behalf, from adding members to or substituting members on a Committee at any time where one (1) or more members of the Committee cannot fulfill their role.

14.2 Quorum.
Unless specifically provided for otherwise under the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act, or the regulations made under any of those Acts, a majority of the members of a Committee constitutes a quorum for a meeting of a Committee.

14.3 Voting.

Unless specifically provided for otherwise under the Act, the Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act, the regulations made under any of those Acts, or this By-Law, any question arising at any meeting of a Committee shall be determined by a majority of votes of members of the Committee present at the meeting and eligible to vote.

14.4 Committee Vacancies.

Where this By-Law requires a Committee to have a minimum number of persons by using the phrase “or more” or words of a similar meaning, a vacancy which reduces the number of members of the Committee below the minimum number will not affect the validity of any action or decision taken by the Committee or any panel of the Committee.

ARTICLE 15 BUSINESS OF THE COLLEGE

15.1 Seal.

11.1.1 The seal shall be the seal of the College.

15.2 Execution of Documents.

15.2.1 Deeds, mortgages, conveyances, powers of attorney, transfers and assignments of property of all kinds including without limitation transfers and assignment of shares, warrants, bonds, debentures or other securities (collectively the “instruments”) may be signed on behalf of the College by the PresidentChair or Vice-PresidentChair and any one (1) of the Registrar, the Deputy Registrar, the Director of Conduct, the Director, Corporate Services, or the Director of Quality, provided that they and the persons holding the positions of director of conduct, director of corporate services, or director of quality, or their equivalent, provided that such instruments have been signed in accordance with any policy of the College regarding the execution of instruments then in effect, and further provided that no individual shall execute, acknowledge, or verify any instrument in more than one capacity. All instruments so signed shall be binding upon the College without any further authorization or formality. In addition, the CouncilBoard may from time to time direct by resolution the manner in which, and the person or persons by whom, any particular instrument or class of instruments may or shall be signed. Any signing officer may affix the corporate seal thereto.

15.2.2 Certificates of Registration shall be signed by the PresidentChair and the Registrar.
15.2.3 Contracts may be signed on behalf of the College in accordance with any policy of the Finance and Audit Committee regarding the execution of such contracts.

15.2.4 The signature of any individual, authorized to sign on behalf of the College may be written, printed, stamped, engraved, lithographed or otherwise mechanically reproduced or may be an electronic signature. Anything so signed shall be as valid as if it had been signed manually, even if that individual has ceased to hold office when anything so signed is issued or delivered, until the individual’s authorization to sign on behalf of the College is revoked by resolution of the Board.

15.3 Banking and Finance.

15.3.1 The banking business of the College shall be transacted with such chartered banks, trust companies or other financial institutions, as may, from time to time, be designated by or under the authority of the Board on recommendation of the Finance and Audit Committee through the Executive Committee. All such banking business, or any part thereof, shall be transacted on the College’s behalf by one or more officers and/or other persons as the Board may designate, direct, or authorize, from time to time, by resolution and to the extent therein provided.

15.3.2 Cheques drawn on the bank, trust or other similar accounts of the College, drafts drawn or accepted by the College, promissory notes given by it, acceptances, bills of exchange, orders for the payment of money and other instruments of a like nature, may be made, signed, drawn, accepted or endorsed, as the case may be, by any two of the Registrar, the Deputy Registrar, the Director of Conduct, the Director, Corporate Services and the Director of Quality and the persons holding the positions of director of conduct, director of corporate services, and director of quality, or their equivalent, provided however that no individual shall execute, acknowledge, or verify any instrument in more than one capacity.

15.4 Financial Year and Audit.

15.4.1 The financial year of the College shall be the calendar year ending December 31.

15.4.2 The Board shall appoint a chartered accountant or a firm of chartered accountants to audit the books and prepare a financial statement for each fiscal year, such appointment to be made at a Board meeting in the year for which the books are to be audited.

15.5 Inspectors.

11.5 Inspectors/Practice Advisors. The Registrar may from time to time, and within budgetary limits, appoint inspectors for the purposes of the Drug and Pharmacies
Regulation Act, any such appointment to be reported to the Executive Committee and to the Council at the next regular meeting following the appointment. Inspectors so appointed shall have such authority and shall perform such duties as are set out in the Drug and Pharmacies Regulation Act and such additional duties as may be prescribed by the Registrar.

15.6 Inspectors for the Purposes of Inspecting Drug Preparation Premises.

The Registrar may appoint inspectors for the purposes of the Pharmacy Act Regulations. Inspectors so appointed shall have such authority and shall perform such duties as are set out in the Pharmacy Act Regulations.

15.7 Grants.

15.7.1 The Council shall set aside, in the budget each year, such funds as are deemed necessary for the maintenance and operation of the Niagara Apothecary, in keeping with the agreement signed in respect thereof with the Ontario Heritage Trust.

15.7.2 The Council shall set aside in the budget each year such funds as are deemed appropriate for grants for any purpose that may tend to advance scientific knowledge or pharmacy education, or maintain or improve the standards of practice in pharmacy.

15.8 Funds.

15.8.1 The disbursement of funds of the College shall be as authorized in the annual budget approved by Council for the fiscal year upon the recommendation of the Finance and Audit Committee through the Executive Committee. Funds not authorized under the budget shall be disbursed only after approval by the Council, or the Executive Committee, as provided for in this By-Law.

15.8.2 Investments of surplus funds shall be made in accordance with investment policies in effect from time to time approved by Council on the recommendation of the Finance and Audit Committee through the Executive Committee. The securities of the College may be deposited for safekeeping and withdrawn, from time to time, with one or more chartered banks, trust companies or other financial institutions in accordance with such investment policies.

15.9 College Membership.

The College may be a member of a national organization of bodies with similar functions.

15.10 Delegation of Powers and Duties.
15.10.1 The Registrar may, by written delegation, delegate any of the Registrar’s powers and/or duties to any employee, director or officer of the College.

15.10.2 The Deputy Registrar shall be vested with and may exercise all the powers and perform all the duties of:

(a) In the event the Registrar is absent or is unable to act with the exception of those powers or duties, if any, that have been delegated by the Registrar in accordance with subparagraph 15.10.1; and

(b) A delegate of the Registrar in the event that such delegate is absent or unable to act in respect of any powers or duties delegated to him or her by the Registrar in accordance with subparagraph 15.10.1.

ARTICLE 16
THE REGISTER

16.1 Registrant’s Name.

12.1 Member’s Name. A Member’s name in the Register shall be:

16.1.1 the Member’s name as provided in the documentary evidence used to support the Member’s initial registration with any other given name commonly used by the Member included in parentheses, or such other name as is acceptable to the Registrar; or

16.1.2 a name other than as provided in subparagraph 16.1.1 where a written request is made by the Member and the Registrar is satisfied that the Member has validly changed his or her name and that the use of the name is not for an improper purpose.

16.2 Business Address and Telephone Number.

16.2.1 A Member’s business address and business telephone number in the Register shall be, respectively, the address and telephone number of each location at which the Member practises in Ontario or, in the case of a Member whose practice consists of providing temporary or relief services and who maintains no permanent place of practice, the address and telephone number of each agency or other person or business for or through which the Member provides such services.

16.2.2 Where a Member does not practise in Ontario, the Member’s business address and business telephone number in the Register shall be, respectively, the address designated by the
Member Registrant as the Member Registrant’s business address and the telephone number associated with that business address.

16.3 Information Regarding a Result.

12.3—When any provision of this Article 12 Article 16 requires information regarding a “result” to be included in the Register, the term “result” shall have the same meaning as provided to it in the Act specifically. Specifically, “result” when used in reference to:

16.3.1 a disciplinary proceeding, means the panel’s finding that the Member Registrant committed an act of professional misconduct or was incompetent, particulars of the grounds for the finding, a synopsis of the decision and the order made, including any reprimand, and where the panel has made no such finding, includes a notation that no such finding was made and the reason why no such finding was made; and

16.3.2 an incapacity proceeding, means the panel’s finding that the Member Registrant is incapacitated and the order made by the panel.

16.4 Publication Ban.

12.4 Publication Ban. Notwithstanding any other provision herein, no action shall be taken under this Article 12 Article 16 which violates a publication ban, and nothing in this Article 12 Article 16 requires or authorizes the violation of a publication ban.

16.5 Disclosure of Information.

12.5—Notwithstanding any other provision herein, nothing in this Article 12 Article 16 shall require or authorize the disclosure of information, including personal health information (as defined by the Code) where such disclosure would lead to a violation of the Code, including subsections 23(8), 23(9) or 23(11) of the Code.

16.6 Information to be kept in Register by the Code - Members - Registrants.

Under subsection 23(2) of the Code, but subject to the remaining subsections of section 23 of the Code, the following information must be contained in the Register and must be available to the public:

16.6.1 12.6.1 Each Member Registrant’s name, business address and business telephone number, and, if applicable, the name of every health profession corporation Health Profession Corporation of which the Member Registrant is a shareholder.

16.6.2 12.6.2 Where a Member Registrant is deceased, the name of the deceased Member Registrant and the date upon which the Member Registrant died, if known.

16.6.3 12.6.3 The name, business address and business telephone number of every health profession corporation Health Profession Corporation.
16.6.4 The names of the shareholders of each Health Profession Corporation who are Members Registrants.

16.6.5 Each Member Registrant’s class of registration and specialist status (specialist status not applicable to the Ontario College of Pharmacists at this time).

16.6.6 The terms, conditions and limitations that are in effect on each Certificate of Registration.

16.6.7 A notation of every caution that a Member Registrant has received from a panel of the Inquiries, Complaints and Reports Committee under paragraph (3) of subsection 26(1) of the Code, and any specified continuing education or remedial programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26(1) of the Code.

16.6.8 A notation of every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved, including the date of the referral and the status of the hearing before a panel of the Discipline Committee, until the matter has been resolved.

16.6.9 A copy of the specified allegations against a Member Registrant for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and that has not been finally resolved.

16.6.10 The result, including a synopsis of the decision, of every disciplinary and incapacity proceeding.

16.6.11 A notation and synopsis of any acknowledgements and undertakings in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a Member Registrant has entered into with the College and that are in effect.

16.6.12 A notation of every finding of professional negligence or malpractice, which may or may not relate to the Member Registrant’s suitability to practise, made against the Member Registrant, unless the finding is reversed on appeal.

16.6.13 A notation of every revocation or suspension of a Certificate of Registration.

16.6.15 Information that a panel of the Registration Committee, Discipline Committee or Fitness to Practise Committee specifies shall be included.

16.6.16 Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.

16.6.17 Where, during or as a result of a proceeding under section 25 of the Code, a Member Registrant has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.

16.6.18 The outcomes of any inspections undertaken by an inspection program of the College established under subsection 95(1)(h) or (h.1) of the Code, including inspections of the nature referred to in subparagraph 12.10.1.

16.6.19 Information that is required to be kept in the Register in accordance with the By-Laws.

16.6.20 Information that is required to be kept in the Register in accordance with the RHPA Regulations.

16.7 Information to be kept in Register by RHPA Regulations - Registrants.

12.7 Members. Under the RHPA Regulations, specifically, Ontario Regulation 261/18, subject to any exceptions or restrictions contained therein, the following information shall be contained in the Register, if known to the College, and must be available to the public:

16.7.1 If there has been a finding of guilt against a Member Registrant under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) and if none of the conditions in subparagraph 12.7.6 have been satisfied:

(a) a brief summary of the finding;
(b) a brief summary of the sentence; and
(c) if the finding is under appeal, a notation that it is under appeal until the appeal is finally disposed of.

16.7.2 With respect to a Member Registrant, any currently existing conditions of release following a charge for an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) or subsequent to a finding of guilt and pending appeal or any variations to those conditions.

16.7.3 If a Member Registrant has been charged with an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada) and the charge is outstanding:

(a) the fact and content of the charge; and
(b) the date and place of the charge.

16.7.4 If a Member Registrant has been the subject of a disciplinary finding or a finding of professional misconduct or incompetence by another regulatory or licensing authority in any jurisdiction:

(a) the fact of the finding;

(b) the date of the finding;

(c) the jurisdiction in which the finding was made; and

(d) the existence and status of any appeal.

16.7.5 If a Member Registrant is currently licensed or registered to practise another profession in Ontario or a profession in another jurisdiction, the fact of that licensure or registration.

16.7.6 The conditions referred to in paragraph 16.7.1 are the following:

(a) The Parole Board of Canada has ordered a record suspension in respect of the conviction;

(b) A pardon in respect of the conviction has been obtained; and

(c) The conviction has been overturned on appeal.

16.7.7 Nothing in this paragraph 16.7 shall be interpreted as authorizing the disclosure of identifying information about an individual other than a Member Registrant.

16.7.8 For the purposes of this paragraph 16.7, “identifying information” means information that identifies an individual or for which it is reasonably foreseeable in the circumstances that it could be utilized, either alone or with other information, to identify an individual.

16.8 Additional Information to be kept in Register - Members Registrants. For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 12.13 and 12.14, the following additional information referable to Members Registrants will be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.8.1 Any changes to each Member Registrant’s name which have been made in the Register since the Member Registrant was first issued a Certificate of Registration.

16.8.2 Each Member Registrant’s gender and registration number.
16.8.3 The date when each **Member Registrant**'s Certificate of Registration was first issued or, if the **Member Registrant** was licensed under Part VI of the *Health Disciplines Act*, the date when the **Member Registrant** was first issued a licence by the College.

16.8.4 Where a person ceased to be a **Member Registrant** as a result of his or her resignation or death, the last calendar year during which the person was a **Member Registrant**.

16.8.5 Where a **Member Registrant** holds a Certificate of Registration as a pharmacist, intern, pharmacy technician or intern technician (following the date upon which the *Pharmacy Act Regulations* are amended to recognize intern technicians as a class of Certificates of Registration) the name and location of the university or college from which the **Member Registrant** received his or her degree in pharmacy or completed his or her pharmacy technician or intern technician program (as the case may be) and the year in which the degree was obtained or the program was completed.

16.8.6 The classes of Certificate of Registration held or previously held by each **Member Registrant**, the date on which each was issued and, if applicable, the termination or expiration date of each.

16.8.7 Where a **Member Registrant** holds a Certificate of Registration as a:

(a) **pharmacist**, a notation as to whether the **Member Registrant** is listed in Part A or Part B of the Register; and

(b) **pharmacy technician**, following the date upon which the *Pharmacy Act Regulations* are amended to include a two (2)-part register for pharmacy technicians, a notation as to whether the **Member Registrant** is listed in Part A or Part B of the Register.

16.8.8 Whether the **Member Registrant** has completed the necessary injection training requirements approved by the College.

16.8.9 Where a **Member Registrant** is an officer or director of a health profession corporation which holds a Certificate of Authorization, the name of the health profession corporation and what position or title the **Member Registrant** holds with that corporation.

16.8.10 Where a **Member Registrant** is an officer or director of a corporation which holds a Certificate of Accreditation, the name of the corporation and what position or title, if any, the **Member Registrant** holds with that corporation.
16.8.11 Where a Member Registrant is a Designated Manager or Contact Person of a pharmacy, a notation of the name and location of each pharmacy at which the Member Registrant holds that designation.

16.8.12 Where a Member Registrant is a Narcotic Signer of a pharmacy, a notation of the name and location of each pharmacy at which the Member Registrant holds that authority.

16.8.13 Where applicable, a summary of any restriction on a Member Registrant’s right to practise:

(a) resulting from an undertaking given by the Member Registrant to the College or an agreement entered into between the Member Registrant and the College; or

(b) of which the College is aware and which has been imposed by a court or other lawful authority, in which event the summary shall include a description of the restriction, the date on which the restriction was imposed, the jurisdiction in which the restriction was made, and the existence and status of any appeal.

16.8.14 Without affecting the requirement of paragraph 12.7, if 16.7, where there has been a charge or finding of guilt against a Member Registrant of which the College is aware in respect of a federal, provincial and/or state offence in Canada or any other jurisdiction, that the Registrar believes is relevant to the Member Registrant’s suitability to practise in which case the summary shall include:

(a) a brief summary of the charge or finding, as the case may be;

(b) the date of the charge or finding, as the case may be;

(c) the jurisdiction in which the charge was brought or finding of guilt was made; and

(d) in the case of a finding of guilt, the existence and status of any appeal, unless, in the case of a finding of guilt the relevant legal authority has: (i) ordered a record suspension in respect of the conviction; (ii) issued a pardon in respect of the conviction; or (iii) the conviction has been overturned on appeal, in which case the information described in subparagraph 12.8.14 shall 16.8.14 will no longer be required.

16.8.15 Without affecting the requirement of subparagraph 16.7.2, a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the Member Registrant in respect of a federal, provincial and/or state offence in Canada or any other
jurisdiction of which the College is aware and that the Registrar believes is relevant to the Member Registrant’s suitability to practise.

16.8.16 12.8.16 Without affecting the requirement of subparagraph 12.7.5, 16.7.5, where the College is aware that a Member Registrant is currently licensed or registered to practise: (i) the profession in another jurisdiction; or (ii) another profession in Ontario or any other jurisdiction, with respect to such licence or registration:

(a) the existence of the licence or registration;

(b) the name of the granting organization; and

(c) the jurisdiction in which it was granted;

16.8.17 12.8.17 Where a Member Registrant’s Certificate of Registration is subject to an interim order of the Inquiries, Complaints and Reports Committee, a notation of that fact, the nature of that order and its effective date.

16.8.18 12.8.18 Without affecting the requirement of subparagraph 12.6.13, 16.6.13, where a Member Registrant’s Certificate of Registration is suspended by the Registrar, the date upon which the suspension or revocation took effect and, for greater certainty, the reason for such suspension.

16.8.19 Without affecting the requirement of subparagraph 12.6.6, where a Member 16.6.6, where a Registrant has any terms, conditions or limitations in effect on his or her Certificate of Registration, the effective date of those terms, conditions and limitations.

16.8.20 12.8.20 Where terms, conditions or limitations on a Member Registrant’s Certificate of Registration have been varied or removed, the effective date of the variance or removal of those terms, conditions and limitations.

16.8.21 12.8.21 Where a suspension of a Member Registrant’s Certificate of Registration is lifted or otherwise removed, the effective date of the lifting or removal of that suspension.

16.8.22 12.8.22 Where a Member Registrant’s Certificate of Registration is reinstated, the effective date of the reinstatement.

16.8.23 Where the Registrar confirms whether the College is investigating a Member Registrant because there is a compelling public interest in disclosing this information pursuant to 36(1)(g) of the Act, the fact that the Member Registrant is under investigation.

16.8.24 12.8.24 Where a complaint has been filed or an investigator has been appointed under 75(1)(a) or 75(1)(b) of the Code, and a panel of the Inquiries, Complaints and Reports Committee requires a Member Registrant to appear before a panel of the Committee to be cautioned:
(a) a notation of that fact;  
(b) a summary of the caution;  
(c) the date of the panel’s decision; and  
(d) if applicable, a notation that the panel’s decision is subject to review and therefore is not yet final, which notation shall be removed once the review is finally disposed of.

16.8.25 Where a complaint has been filed or an investigator has been appointed under 75(1)(a) or 75(1)(b) of the Code, and a panel of the Inquiries, Complaints and Reports Committee takes other action requiring a Registrant to complete a specified continuing education or remediation program:

(a) a notation of that fact;  
(b) a summary of the continuing education or remediation program;  
(c) the date of the panel’s decision; and  
(d) if applicable, a notation that the panel’s decision is subject to review and therefore is not yet final, which notation shall be removed once the review is finally disposed of.

16.8.26 Where an allegation of a Registrant’s professional misconduct or incompetence has been referred to the Discipline Committee, where a Registrant has been referred by the Accreditation Committee to the Discipline Committee under section 140 of the Drug and Pharmacies Regulation Act, or where the Registrar has referred an application for reinstatement to the Discipline Committee under section 73 of the Code and the matter is outstanding:

(a) the date of the referral;  
(b) a brief summary of each specified allegation;  
(c) the notice of hearing;  
(d) the anticipated date of the hearing, if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced;  
(e) if the hearing is awaiting scheduling, a statement of that fact; and  
(f) if the hearing of evidence and arguments is completed and the parties are awaiting a decision of the Discipline Committee, a statement of that fact.
16.8.27 Where the results of a disciplinary proceeding are contained in the Register, the date on which the panel of the Discipline Committee made the finding of professional misconduct or incompetence and the date on which the panel ordered any penalty.

16.8.28 A summary of any reprimand given to a Member Registrant as part of the order of a panel of the Discipline Committee, unless the results of the proceeding before the Discipline Committee are not otherwise [without reference to the By-Laws] available to the public under the Code.

16.8.29 Without affecting the requirement of subparagraph 12.6.15, 16.6.15, where the question of a Member Registrant’s capacity has been referred to the Fitness to Practise Committee and is outstanding,

(a) a notation of that fact; and

(b) the date of the referral.

16.8.30 Without affecting the requirement of subparagraph 12.7.4, 16.7.4, where the College is aware that a finding of professional misconduct or incompetence has been made against a Member Registrant outside of Ontario in respect of any profession:

(a) a notation of that fact;

(b) the date of the finding and the name of the governing body that made the finding;

(c) a brief summary of the facts on which the finding was based;

(d) the penalty; and

(e) where the finding or penalty is under appeal, a notation of that fact, which notation shall be removed once the appeal is finally disposed of.

16.8.31 Where a decision of a panel of the Discipline Committee has been published by the College with the Member Registrant’s or former Member Registrant’s name included after December 31, 1999:

(a) a notation of that fact; and

(b) identification of, a link to, or a copy of the specific publication containing that decision.

16.8.32 The language(s) in which the Member Registrant can provide professional services as reported by the Member Registrant.
16.8.33 Any other information not otherwise referred to in subparagraph 12.6.20, 16.6.20, which the College and the Member Registrant have agreed shall be available to the public.

16.9 Former Members Registrants.

16.9.1 The term “Former Member” shall mean Registrant” means those individuals whose membership in registration with the College is revoked, suspended or rescinded (in which case, recognizing that such individual is deemed to have never held membership in registration with the College) by the College or is otherwise resigned or terminated.

16.9.2 Where the College is aware of such information, the information described in subparagraphs 12.6.12, 12.7.1 to 12.7.4, 12.8.14 to 12.8.16 and 16.8.30 in respect of Former Members 16.6.12, 16.7.1 to 16.7.4, 16.8.14 to 16.8.16 and 16.8.30 in respect of Former Registrants shall be kept in the Register and is designated as public pursuant to subsection 23(5) of the Code.

16.10 Information to be kept in Register – Drug Preparation Premises.

For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 12.13 and 12.14, the following information referable to Drug Preparation Premises shall be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.10.1 The purpose (after January 1, 2016), outcome and status of inspections of Drug Preparation Premises (including conditions and reasons for fail results) carried out under the Pharmacy Act Regulations, including the relevant date.

16.10.2 A summary of the details of a Change of Control of a Drug Preparation Premises received by the College in accordance with Article 14.18.

16.10.3 Any other information which the College and a designated Member Registrant for the Drug Preparation Premises have agreed shall be available to the public.

16.11 Information to be Kept in Register – Health Profession Corporations.

For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 12.13 and 12.14, the following information referable to Health Profession Corporations shall be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.11.1 The Certificate of Authorization number of the Health Profession Corporation and the date upon which that Certificate was first issued.
16.11.2 Where the Certificate of Authorization has been revoked, a notation of that fact, the date when the revocation occurred and a brief summary of the reasons for the revocation.

16.11.3 Where the Certificate of Authorization was revised or a new Certificate of Authorization was issued to the health profession corporation Health Profession Corporation, a notation of that fact and the date when that occurred.

16.11.4 The name, as set out in the College’s Register, of each of the shareholders, officers and directors of the health profession corporation Health Profession Corporation who are Members Registrants and the title or office, if any, held by each.

For greater certainty, the information required by this paragraph shall not affect the requirement of subparagraph 12.6.3.

16.12 Information to be Kept in Register - Pharmacies.

12.12—For the purposes of paragraph 20 of subsection 23(2) of the Code, and subject to paragraphs 12.1316.13 and 12.14, the following information referable to pharmacies shall be kept in the Register, and is designated as public pursuant to subsection 23(5) of the Code:

16.12.1 The pharmacy’s name, address, telephone and fax number.

16.12.2 The class of Certificate of Accreditation and Accreditation Number of the pharmacy.

16.12.3 The date the pharmacy opened.

16.12.4 The name of the Designated Manager or Contact Person of the pharmacy, as applicable.

16.12.5 The purpose (after January 1, 2016), outcome and status of inspections of the pharmacy, including the relevant date. This subparagraph applies to the most current purpose (after January 1, 2016), outcome and status of any inspection conducted after July 1, 2013 and the purpose (after January 1, 2016), outcome and status of every inspection conducted thereafter.

16.12.6 Any terms, conditions and limitations on the Certificate of Accreditation.

16.12.7 Where terms, conditions or limitations on the Certificate of Accreditation have been varied or removed, the effective date of their variance or removal.

16.12.8 Where the Certificate of Accreditation has been revoked or suspended, or has expired, a notation of that fact, the date when the revocation or
suspension or expiry occurred and a brief summary of the reasons for the revocation or suspension.

16.12.9 Where a suspension of the Certificate of Accreditation has been lifted or otherwise removed, the effective date of its lifting or removal.

16.12.10 Where the Certificate of Accreditation has been amended, a notation of that fact and the date when it occurred.

16.12.11 A notation of every referral by the Accreditation Committee to the Discipline Committee under section 140 of the *Drug and Pharmacies Regulation Act* of the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation is a corporation, the directors of the corporation, until the matter has been resolved, which notation shall include:

(a) the date of the referral;

(b) a brief summary of each specified allegation; and

(c) the anticipated date of the hearing, if the hearing date has been set, or the next scheduled date for the continuation of the hearing if the hearing has commenced.

16.12.12 The result, including a synopsis of the decision, of every disciplinary proceeding against the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation is a corporation, the directors of the corporation, unless a panel of the Discipline Committee makes no finding with regard to the proceeding.

16.12.13 Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.

16.12.14 A summary of any reprimand given publicly after November 1, 2006 to a Designated Manager of the pharmacy as part of an order of a panel of the Discipline Committee, unless the results of the proceeding before the Discipline Committee are not otherwise available to the public under the *Drug and Pharmacies Regulation Act* or the *Code*.

16.12.15 Where a Certificate of Accreditation is subject to an interim order of the Discipline Committee, a notation of that fact, the nature of the order and its effective date.

16.12.16 Where, during or as a result of a proceeding that was commenced pursuant to section 140 of the *Drug and Pharmacies Regulation Act*, a person
or corporation ceases to operate a pharmacy and agrees never to operate a pharmacy again in Ontario, a notation of same.

16.12.17 12.12.17 Where applicable, a summary of any restriction on a pharmacy’s ability to operate:

(a) resulting from an undertaking given to the College or an agreement entered into with the College; or

(b) of which the College is aware and which has been imposed by a court or other lawful authority, in which event the summary of the restriction shall also include the source of the restriction.

16.12.18 12.12.18 Where an order has been made under section 162 or section 162.1 of the Drug and Pharmacies Regulation Act against the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation is a corporation, the directors of the corporation, a notation of that fact including:

(a) the date the order was made;

(b) a summary of the order; and

(c) where the order has been appealed, a notation that it is under appeal, until the appeal is finally disposed of.

16.12.19 12.12.19 Where the Owner or operator of the pharmacy, the person who has been issued the Certificate of Accreditation, a Designated Manager of the pharmacy or, where the person who has been issued the Certificate of Accreditation or the operator of the pharmacy is a corporation, the directors of the corporation, have been found guilty of an offence under section 165 or section 166 of the Drug and Pharmacies Regulation Act, a notation of that finding including:

(a) the date the finding was made;

(b) a summary of the finding of the court;

(c) the sentence that the court imposed; and

(d) where the finding or the sentence has been appealed, a notation that it is under appeal, until the appeal is finally disposed of.

16.12.20 12.12.20 Where a trustee in bankruptcy, liquidator, assignee or personal representative of the person who owns or operates the pharmacy becomes authorized to own or operate the pharmacy pursuant to section 145 of the Drug and Pharmacies Regulation Act, a notation of that fact including the date the person commences to be so authorized and the date the person ceases to be so authorized.
Where a person has permanently closed the pharmacy, a notation of that fact and the date the pharmacy was closed.

Any other information not otherwise referred to in this paragraph, which the College and the person who has been issued the Certificate of Accreditation have agreed shall be available to the public.

16.13 **Deletion of Information.**

16.13.1 Unless otherwise indicated, where the information described in paragraphs 12.6 to 12.12 changes, the College may maintain the previous information on the Register, in addition to the new, changed information, as long as it may be relevant for the public to know in the opinion of the Registrar.

16.13.2 Despite paragraphs 12.8 to 12.12, and subject to subparagraphs 12.13.3, 12.13.4, 12.13.5, the College is not required to maintain and may delete from the Register information about a Member Registrant, a Drug Preparation Premises, a health professional corporation Health Profession Corporation, or a pharmacy once three (3) years have passed since the revocation, suspension or other termination of the Certificate of Registration, operation of the Drug Preparation Premises, Certificate of Authorization or Certificate of Accreditation as the case may be.

16.13.3 Despite subparagraphs 12.13.2 and 12.13.5 and the Code, the College shall maintain on the Register all of the information about a Member Registrant and a pharmacy where the Register contains information about the Member Registrant resulting from a direction or order of a Committee or resulting from an offence proceeding.

16.13.4 The College is not required to maintain and may delete from the Register any information which would otherwise have been required to be maintained under subparagraphs 12.8.13, 12.8.33, 12.12.17, 12.12.22 and 12.13.3 where the Registrar is satisfied that the information is no longer relevant for the public to know.

16.13.5 The College is not required to maintain and may delete from the Register any information which would otherwise have been required to be maintained under subparagraphs 12.8.24, 12.8.25 where, after a review, the Inquiries, Complaints and Reports Committee has been required to remove or vary the appearance for a caution or a specified continuing education or remediation program. Where the original requirement to appear for a caution or to complete a specified continuing education or remediation program has been varied, the Registrar may enter a summary of the process leading up to and the results of the variation.

16.14 **Disclosure.**
Disclosure. All of the information referred to in paragraphs 12.6 to 12.12 is designated as information that may be withheld from the public for the purposes of subsection 23(6) of the Code, such that the Registrar may refuse to disclose to an individual or post on the College’s website any or all of that information if the Registrar has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.

ARTICLE 17
FILING OF INFORMATION BY MEMBERS, REGISTRANTS, PHARMACIES AND HEALTH PROFESSION CORPORATIONS

17.1 Filing of Information by Members, Registrants.

17.1.1 The College shall forward to each Member Registrant who holds a Certificate of Registration as a pharmacist or pharmacy technician each year, and may forward to any Member Registrant at any time, in a form approved by the Registrar, a request for information that includes, but is not limited to:

(a) the Member Registrant’s home address and home telephone number, being the address and telephone number of the principal Ontario residence of the Member Registrant or, if the Member Registrant does not have a residence in Ontario, the Member Registrant’s principal residence and, where available, the Member Registrant’s e-mail address;

(b) where a Member Registrant is engaged in the practice of pharmacy, whether inside or outside of Ontario, the name, address, telephone number and facsimile number of each person or business for or through which the Member Registrant engages in the practice or, in the case of a Member Registrant whose practice consists of providing temporary or relief services and who maintains no permanent place of practice, the name, address, telephone number and facsimile number of each agency or other person or business for or through which the Member Registrant provides such services;

(c) the Member Registrant’s preferred address, preferred telephone number and where applicable, the Member Registrant’s preferred e-mail address for communications from the College;

(d) in the case of a Member Registrant who is required to possess personal professional liability insurance in accordance with Article 3.3, information respecting the Member Registrant’s personal professional liability insurance;

(e) information respecting the Member Registrant’s participation in the Quality Assurance Program;
(f) **13.1.2** information required to be contained in the Register pursuant to the *Code* and the By-Laws;

(g) *(a)* such other information as may be required to be provided to the College pursuant to the By-Laws, the Act, the *Pharmacy Act*, the *Drug and Pharmacies Regulation Act* or the regulations made under any of those Acts;

(h) *(b)* information that relates to the professional characteristics and activities of the Member Registrant that may assist the College in carrying out its objects;

(i) *(c)* information for the purpose of compiling statistical information to assist the College in fulfilling its objects; and

(j) *(d)* any other information that the College deems may assist it in carrying out its objects.

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17.1.2 **13.1.3** Each Member Registrant shall fully and accurately respond to the request for information, and shall submit the information to the College, in the required form, by the deadline set out in the request for information to the Member Registrant.

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17.1.3 **13.1.4** Where any information that a Member Registrant has provided to the College in response to a request under subparagraph 13.1.1 has changed, the Member Registrant shall notify the College of the change within thirty (30) days of its effective date.

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17.1.4 **13.1.5** In addition to the requirements in subparagraphs 13.1.3 and 13.1.4, a Member Registrant shall comply, within the time stipulated by the Registrar, with all requests by the Registrar for the provision of any information that is required to be contained in the Register, or that the Member Registrant is required to provide to the College, pursuant to the *Code* or the By-Laws.

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17.2 **13.2** Filing of Information by Applicants for a Certificate of Accreditation.

17.2.1 **13.2.1** Every Applicant for a Certificate of Accreditation shall file the following information with the Registrar at least 30 (thirty) days before the date on which the Applicant proposes to commence operation of the pharmacy:

(a) the full name of the Applicant and, where the Applicant is a corporation, the full name and residential addresses of the directors and officers of the corporation and the corporation number;

(b) where the Applicant is:

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(i) a corporation or partnership, the business address of the corporation or partnership; or

(ii) an individual, the home address of the individual;

(c) the name by which the pharmacy will be known to the public;

(d) the location of the pharmacy;

(e) the proposed date of the opening of the pharmacy;

(f) such additional information as the College requires in its application form for issuance of a Certificate of Accreditation, or as the College otherwise requests or requires pursuant to the *Drug and Pharmacies Regulation Act Regulations*; and

(g) any other information that the College deems may assist it in carrying out its objects.

17.2.2 Every Applicant shall provide such additional information as the College requests or requires pursuant to the *Drug and Pharmacies Regulation Act Regulations*.

17.2.3 Every Applicant shall, on or before the day the person commences to operate the pharmacy, notify the College of the name of the Designated Manager or Contact Person of the pharmacy, as applicable.

17.2.4 Where any of the information that an Applicant has provided to the College under subparagraph 13.2.1, 13.2.2, 13.2.3, 17.2.1, 17.2.2 or 13.2.4 has changed, the Applicant or Owner, as applicable, of the pharmacy shall provide notification of the change to the College within thirty (30) days of its effective date.

17.3 Filing of Information by Pharmacies.

17.3.1 In connection with the annual renewal of a Certificate of Accreditation, every Owner of a pharmacy shall provide the following information respecting the pharmacy to the College:

(a) the full name of the Owner of the pharmacy and, where the Owner is a corporation, the full name and residential addresses of the directors and officers of the corporation and the corporation number;

(b) where the Owner is:

(i) a corporation or partnership, the business address of the corporation or partnership; or
(ii) an individual, the home address of the individual;

(c) the name by which the pharmacy is known to the public;

(d) the location of the pharmacy;

(e) such additional information as the College requires in its application form for renewal of a Certificate of Accreditation, or as the College otherwise requests or requires pursuant to the Drug and Pharmacies Regulation Act Regulations; and

(f) any other information that the College deems may assist it in carrying out its objects.

17.3.2 Where any of the information that an Owner of a pharmacy has provided to the College under subparagraph 17.3.1 has changed, the Owner of the pharmacy shall provide notification of the change to the College within thirty (30) days of its effective date.

17.3.3 In addition to the requirements in subparagraphs 17.3.1 and 17.3.2, every Owner of a pharmacy shall comply, within the time stipulated by the Registrar, with all requests by the Registrar for the provision of any information or documentation that the Owner of the pharmacy is required to provide to the College pursuant to the By-Laws, the Drug and Pharmacies Regulation Act or the Drug and Pharmacies Regulation Act Regulations.

17.4 Filing of Information for Closing Pharmacies.

17.4.1 Subject to subparagraph 17.4.2, every person who permanently closes a pharmacy, shall, within seven (7) days of closing the pharmacy, notify the Registrar of the closing and within thirty (30) days of the closing shall file with the Registrar a signed statement setting out:

(a) the date of closing;

(b) the disposition of the drugs in stock in the pharmacy at the time of closing;

(c) the disposition of the prescription files, drug registers and other records required to be kept under the Drug and Pharmacies Regulation Act or the Drug and Pharmacies Regulation Act Regulations; and

(d) the date on which all signs and symbols relating to the practice of pharmacy either within or outside the premises were removed.
17.4.2 Where a person permanently closes a remote dispensing location, the signed statement referred to in subparagraph 13.4.1 need only set out the information in subparagraph 13.4.1(a) and (d).

17.5 Filing of Information by Health Profession Corporations.

17.5.1 The College shall forward to each Health Profession Corporation each year, in a form approved by the Registrar, a request for such information as Health Profession Corporation is required to provide to the Registrar pursuant to applicable statutes and regulations.

17.5.2 Every Health Profession Corporation shall fully and accurately respond to the request for information and shall submit the information to the College, in the required form, by the 10th day of March next following the forwarding of the request for information to Health Profession Corporation.

17.5.3 Where any information that Health Profession Corporation has provided to the College in response to a request under subparagraph 17.5.1 has changed, Health Profession Corporation shall notify the College of the change within thirty (30) days of its effective date.

17.5.4 Despite subparagraph 17.5.3, a Health Profession Corporation shall notify the Registrar within ten (10) days of a change in the shareholders of the corporation.

17.5.5 In addition to the requirements in subparagraphs 17.5.2, 17.5.3, 17.5.4, a Health Profession Corporation shall comply, within the time stipulated by the Registrar, with all requests by the Registrar for the provision of any information or documentation that is required to be contained in the Register, or that Health Profession Corporation is required to provide to the College, pursuant to applicable statutes or regulations or the By-Laws.

ARTICLE 18 ARTICLE 14
CHANGE OF CONTROL

18.1 Change of Control.

18.1.1 In the event that a Member engages in or supervises drug preparation activities at or in connection with a Drug Preparation Premises, the Member must notify the College in the event that the Registrant becomes aware that a Change of Control has occurred in respect of such Drug Preparation Premises.
18.1.2 **When used herein, the term “Change of Control” in respect of a Drug Preparation Premises** shall mean:

(a) any transfer of all or substantially all of the assets of the owner of the Drug Preparation Premises;

(b) any transfer of all or substantially all of the assets used in the operation of the Drug Preparation Premises;

(c) any change in ownership of more than fifty percent (50%) of the shares of the owner of the Drug Preparation Premises;

(d) any amalgamation, merger or consolidation of the owner of the Drug Preparation Premises with another entity;

(e) any governance reorganization causing a change in fifty percent (50%) or more of the members of the board of directors of the owner of the Drug Preparation Premises; and

(f) any dissolution, liquidation or winding-up of the owner of the Drug Preparation Premises,

in each case, by way of one (1) or a series of related transactions.

**Article 19**

**ARTICLE 15 MEMBER REGISTRANT FEES**

15.1 Application of Fees. Unless otherwise indicated, the fees set out in this Article 15 shall be effective as of January 1, 2019.

19.1 **19.1.2 Application and Issuance Fees**

19.1.1 Every person, other than a person who already holds a Certificate of Registration, who wishes to apply for a Certificate of Registration of any class, shall pay an initial application fee of $375.00 plus applicable taxes, due and payable immediately upon the College opening a registration file for such person.

19.1.2 $94.00, which shall be Every applicant for a Certificate of Registration of any class shall pay an application fee, due and payable upon the applicant submitting his or her completed application to the Registrar.

15.2.3 The fee

19.1.3 Every successful applicant for the issuance of a Certificate of Registration as a Pharmacist shall pay an issuance fee which is the applicable annual fee plus applicable taxes.

15.2.4 The fee for the issuance of a Certificate of Registration as a Pharmacy Technician is the
applicable annual fee plus applicable taxes.

19.2 Examination Fee.

15.3 An applicant for a Certificate of Registration who wishes to write the examination in pharmaceutical jurisprudence approved by the College shall pay an examination fee of $125.00 plus applicable taxes.

19.3 Annual Fees.

19.3.1 Every person who holds a Certificate of Registration as a Pharmacist and is listed in Part A of the Register shall pay an annual fee of: (i) for the pharmacist or pharmacy technician shall pay an annual fee except that in the year in which the person is first registered as a pharmacist or pharmacy technician, if the Certificate of Registration is issued on or after September 1, the fee will be fifty percent (50%) of the annual fee for that year beginning January 1, 2019, $675.00 plus applicable taxes; and (ii) thereafter, $750.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacist, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.

15.4.2 Every person who holds a Certificate of Registration as a Pharmacist and is listed in Part B of the Register shall pay an annual fee of: (i) for the year beginning January 1, 2019, $337.50 plus applicable taxes; and (ii) thereafter, $375.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacist, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.

15.4.3 Every person who holds a Certificate of Registration as a Pharmacy Technician shall pay an annual fee of: (i) for the year beginning January 1, 2019, $450.00 plus applicable taxes; and (ii) thereafter, $500.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacy Technician, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.

19.3.2 The annual fee must be paid on or before March 10, except that in the year in which a person is first registered, if the Certificate of Registration is issued after March 10, the annual fee must be paid on the date the person is registered.

19.3.3 No later than thirty (30) days before the annual fee is due, the Registrar shall notify the MemberRegistram of the amount of the fee and the day on which the fee is due.

19.3.4 A Pharmacist or Pharmacy TechnicianRegistrant who fails to pay an annual fee on or before the day on which the fee is due shall pay a penalty in addition to the annual fee. If the Pharmacist or Pharmacist Technician pays the annual fee:

(a) within thirty (30) days of when it is due, the penalty shall be $125.00 plus applicable taxes; and
(b) thirty-one (31) days or more after it is due, the penalty shall be $188.00 plus applicable taxes.

19.4 Fee to Lift Suspension or for Reinstatement.

19.4.1 Where a Member Registrant’s Certificate of Registration has been suspended by the Registrar for failing to pay a required fee, the fee that the Member Registrant shall pay for the lifting of the suspension shall be: (a) the fee the Member Registrant failed to pay; (b) the annual fee for the year in which the suspension is to be lifted, if the Member Registrant has not already paid it; and (c) a penalty of $188.00 plus applicable taxes.

19.4.2 Where a Member Registrant’s Certificate of Registration has been suspended by the Registrar pursuant to the Pharmacy Act Regulations, the fee that the Member Registrant shall pay for the lifting of the suspension shall be: (a) the annual fee for the year in which the suspension is to be lifted, if the Member Registrant has not already paid it; and (b) a penalty of $188.00 plus applicable taxes.

19.4.3 The fee that a Member Registrant shall pay for the reinstatement of his or her Certificate of Registration shall be $313.00 plus applicable taxes.

15.6 Election Recount Fee. The election recount fee payable by a candidate for election to the Council who requests a recount of the vote shall be $500.00 plus applicable taxes.

19.5 Other Fees.

19.5.1 Where a person requests the Registrar to do anything that the Registrar is required or authorized to do, the person shall pay the fee set by the Registrar for doing so.

19.5.2 Where, pursuant to the Pharmacy Act Regulations, a member Registrant:

(a) has undertaken remediation by order of the Quality Assurance Committee;

(b) undergoes a practice review by an assessor after the remediation, and is found by the Quality Assurance Committee to continue to have a deficiency in his or her knowledge, skills or judgment that requires correction; and

(c) is ordered by the Quality Assurance Committee to undertake a further remediation and a further practice review by an assessor after the further remediation, the member Registrant shall pay a fee of $1000.00 plus applicable taxes for each such further practice review by an assessor, and for any additional practice reviews that the member Registrant undertakes thereafter.
19.5.3 The fee for an Applicant required to undertake the Practice Assessment of Competence at Entry (PACE) a third and/or subsequent time is $1,000. shall pay a fee for such assessment(s).

19.5.4 The Registrants who engage in, or supervise, drug preparation activities at a Drug Preparation Premises shall, jointly and severally, be required to pay a fee for the inspection of the Drug Preparation Premises pursuant to the Pharmacy Act Regulations, including all activities related to the inspection, shall be $3,125.00 plus applicable taxes, and shall be payable, jointly and severally, by those Members who engage in, or supervise, drug preparation activities at the Drug Preparation Premises.

ARTICLE 20 ARTICLE 16
PHARMACY TRANSACTION FEES

20.1 Application of Fees. Unless otherwise indicated, the fees set out in this Article 16 shall be effective as of January 1, 2019.

16.2 Application Fee.

20.1.1 Subject to subparagraph 16.2.2, the application fee for a Certificate of Accreditation to establish and operate a pharmacy of the community pharmacy class or hospital pharmacy class shall be $625.00 plus applicable taxes, payable upon the applicant submitting a completed application to the Registrar.

20.1.2 Where an Applicant applicant who has acquired two (2) or more existing pharmacies of the community pharmacy class or hospital pharmacy class, applies for Certificates of Accreditation to establish and operate the pharmacies, the applicant shall pay an application fee for the first application, and $63.00 plus applicable taxes for each additional application.

20.2 Issuance Fee.

16.3.1 Subject to subparagraph 16.3.3, the fee for the issuance of a Certificate of Accreditation shall be:

20.2.1 (a) $938.00 plus applicable taxes if issued between May 10 and November 9 in a given year, and $469.00 plus applicable taxes if issued between November 10 and May 9 in a given year. Every successful applicant for a Certificate of Accreditation of the community pharmacy class; and the hospital pharmacy class shall pay an issuance fee.

(b) $4,375.00 plus applicable taxes if issued between May 10 and November 9 in a given year, and $2,188.00 plus applicable taxes if issued between November 10 and May 9 in a given year for a Certificate of Accreditation of the hospital pharmacy class.

16.3.2 Subject to subparagraphs 16.3.4, the additional fee for the issuance of a Certificate of Accreditation to establish and operate a community pharmacy that permits the operation of
remote dispensing locations, shall be $938.00 plus applicable taxes for each remote dispensing location to be operated.

16.3.3 The fee for the issuance of a Certificate of Accreditation to establish and operate a pharmacy for an Applicant who has acquired or relocated an existing pharmacy shall be:

(a) $1,200.00 plus applicable taxes for a Certificate of Accreditation of the hospital pharmacy class; and

(b) $313.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class.

20.2.2 There shall be every successful applicant for a Certificate of Accreditation to establish and operate a community pharmacy that permits the operation of remote dispensing locations shall pay an issuance fee. The fee will apply for each remote dispensing location to be operated, except that there will be no additional fee for the issuance of a Certificate of Accreditation that permits the operation of remote dispensing locations if the Certificate of Accreditation is issued to an Applicant who has acquired or relocated an existing community pharmacy that permits the operation of remote dispensing locations.

20.2.3 An applicant who has acquired or relocated an existing pharmacy shall pay an issuance fee for a Certificate of Accreditation to establish and operate a pharmacy.

20.3 Fee for Amended Certificates - Remote Dispensing Locations.

20.3.1 Every person who seeks to amend a Certificate of Accreditation to permit the operation of remote dispensing locations or additional remote dispensing location(s) shall pay an application fee for each remote dispensing location or additional remote dispensing location that is to be operated.

20.3.2 The application fee for an amended Certificate of Accreditation that permits to permit the operation of remote dispensing locations or additional remote dispensing locations shall be $313.00 plus applicable taxes for each remote dispensing location or additional remote dispensing location that is to be operated.

20.3.3 For greater certainty, subparagraphs 16.4.1 and 16.4.2 shall only apply with respect to the issuance of a Certificate of Accreditation of the community pharmacy class.
20.4 **16.5 Renewal Fee.** The fee for the renewal of a Certificate of Accreditation shall be paid on or before May 10 of each year and shall be in the amount of **Renewal Fee.**

(a) $1,175.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class; and

(b) $4,375.00 plus applicable taxes for every person who holds a Certificate of Accreditation of the community pharmacy class or a Certificate of Accreditation of the hospital pharmacy class, shall pay the applicable renewal fee on or before May 10 each year.

20.5 **Additional Renewal Fee.**

16.6 **Additional Renewal Fee.** An additional renewal fee will apply, and be due and payable on or before May 10 each year, for the renewal of a Certificate of Accreditation for each pharmacy that, within the twelve (12) months prior to the renewal, has undergone a re-inspection as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection, shall be $1,250.00 plus applicable taxes for each such re-inspection, and shall be paid on or before May 10 of each year. The additional renewal fee shall will apply for each re-inspection but will not apply where the re-inspection was pursuant to an order of the Discipline Committee.

**Article 21**

**CERTIFICATE OF AUTHORIZATION FEES**

17.1 **Application of Fees.** Unless otherwise indicated, the fees set out in this Article 17 shall be effective as of January 1, 2019.

21.1 **Application Fee.**

17.2 **Application Fee.** The application fee for a Certificate of Authorization for a health profession corporation is $1,250.00 plus applicable taxes. Health Profession Corporation shall pay an application fee.

21.2 **17.3 Renewal Fee.**

21.2.1 **17.3.1 The fee for the annual renewal of Every Health Profession Corporation that holds a Certificate of Authorization is $375.00 plus shall pay the applicable taxes renewal fee each year.**

21.2.2 **17.3.2 The annual renewal fee for a Certificate of Authorization must be paid on or before March 10 of each year.**

21.2.3 **17.3.3 No later than thirty (30) days before the annual renewal fee is due, the Registrar shall notify the Health Profession Corporation of the amount of the fee and the day on which it is due.**

**ARTICLE 18**
21.2.4 A Health Profession Corporation that fails to pay a renewal fee on or before the day on which the fee is due shall pay a penalty in addition to the renewal fee.

**ARTICLE 22**

**APPLICATION OF FEES**

22.1 **Application of Fees**

22.1.1 Unless otherwise indicated, the fees and penalties set out in Article 19, Article 20, Article 21 and Schedule D shall be effective as of the date set out in Schedule D.

22.1.2 The fees and penalties prescribed in Article 19, Article 20 and Article 21 are set out in Schedule D. All fees and penalties are subject to applicable taxes, which are payable in addition to the fees and penalties.

22.1.3 On January 1 of each year commencing in 2021, each fee prescribed in Article 19, Article 20, and Article 21, and listed in Schedule D, will be increased by the percentage increase, if any, in the consumer price index for goods and services in Canada as published by Statistics Canada or any successor organization.

**ARTICLE 23**

**CODES OF ETHICS AND CONDUCT**

23.1 **Code of Ethics.**

18.1 **Code of Ethics.** There shall be a Code of Ethics for Members Registrants, which is Schedule A to this By-Law.

23.2 **Code of Conduct.**

18.2 **Code of Conduct.** There shall be a Code of Conduct for Directors and Committee members of the Council and of Committees, which is Schedule B to this By-Law.

**ARTICLE 19**

**ARTICLE 24**

**MAKING, AMENDING AND REVOKING BY-LAWS**

24.1 **Requirements.**

24.1.1 By-Laws may be made, repealed or amended by at least two-thirds (2/3rd) of all members of Council Directors present at a meeting of the Council Board and eligible to vote.
24.1.2 Amendments may be proposed by not fewer than three (3) members of the Council Directors or by the Executive Committee.

24.1.3 Proposed amendments shall be sent to the Registrar thirty (30) days in advance of the meeting at which the amendments will be voted on by the members of the Council Directors.

24.1.4 The Registrar shall, at least two (2) weeks before the meeting at which the amendments are to be considered, notify all members of the Council Directors of the proposed amendments.

24.2 Repeal of Former By-Laws.

19.2 Subject to subparagraph 5.3.1 and subparagraph 5.3.2, the repeal of any By-Law in whole or part shall not in any way affect the validity of any act done or right, privilege, obligation or liability acquired or incurred thereunder or the validity of any contract or agreement made pursuant to any such By-Law prior to such repeal. All members of the Council Directors and other persons acting under any By-Law so repealed in whole or in part shall continue to act as if elected or appointed under the provisions of this By-Law.

24.3 Effective Date.

19.3 Effective Date. This By-Law shall come into force and effect on the date that it is approved by the Council Board. Upon this By-Law coming into force and effect, By-Law No. 45 shall hereby be repealed.

24.4 Conflict.

19.4 Conflict. If any By-Law is, at any time, found to be in conflict with the Act or the Pharmacy Act or the Drug and Pharmacies Regulation Act, it shall will, to the extent of such conflict, be disregarded in favour of the Act or the Pharmacy Act or the Drug and Pharmacies Regulation Act, as the case may be, and the Registrar shall, upon discovery of such conflict, prepare, for consideration by the Council Board, a proposed amendment, alteration or repeal of the offending By-Law which shall have the effect of removing from the By-Law anything inconsistent with any such Act.

PASSED by Council Board and sealed with the corporate seal of the College the 10th day of December, 2018.

President
(VCorporate Seal)

Vice-President

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SCHEDULE A

Ontario College of Pharmacists
Code of Ethics

Role and Purpose of the Code of Ethics

One of the objects of the Ontario College of Pharmacists (OCP, the College), as outlined in the Regulated Health Professions Act, Schedule 2, Health Professions Procedural Code is to “develop, establish and maintain standards of professional ethics for members” of the profession.

The role and purpose of OCP’s Code of Ethics is to clearly articulate the ethical principles and standards which guide the practice of pharmacists and pharmacy technicians in fulfilling the College’s mandate to serve and protect the public by putting patients first.

Specifically, OCP's Code of Ethics supports the College in fulfilling its mandate by:

- Clearly articulating the ethical principles and standards by which pharmacists and pharmacy technicians are guided and under which they are accountable
- Serving as a resource for education, self-evaluation and peer review
- Serving as an educational resource for the public outlining the ethical obligations of the profession
- Providing a benchmark for monitoring and addressing the conduct of pharmacists and pharmacy technicians

Who does the Code of Ethics Apply to?

The Code of Ethics applies to all members registrants of the College, in accordance with their scope of practice, including registered pharmacists, interns, intern technicians and pharmacy technicians. The Code of Ethics is also relevant to all those who aspire to be members registrants of the College.

The Code of Ethics is applicable in all pharmacy practice, education and research environments including non-traditional practice settings which may not involve a healthcare professional/patient relationship.

All members registrants are responsible for applying the Code of Ethics requirements in the context of their own specific professional working environments.

Compliance with the Code of Ethics

The Standards listed in OCP’s Code of Ethics are not intended to provide an exhaustive or definitive list of ethical behaviours and attitudes required of members registrants. Registrants do not justify unethical behaviour by rationalizing that such behaviour is not expressly prohibited in a Standard of this Code.
The College holds members registrants accountable for adhering to the Code of Ethics and will inquire into allegations of a breach of the Code of Ethics and take appropriate action(s) in relation to the severity of the breach.

The Code of Ethics, Standards of Practice and all relevant legislation, policies and guidelines are companion documents and none of these should be read or applied in isolation of the other(s). It is not unusual for there to be duplication within these documents as requirements may be both ethical and legal.

All members registrants of the College are required to affirm their understanding of and commitment to OCP’s Code of Ethics by signing the Declaration of Commitment.

Understanding the Professional Role and Commitment of Healthcare Professionals

The most important feature or characteristic that distinguishes a healthcare professional from another type of professional is that: healthcare professionals are committed, first and foremost, to the direct benefit of their patients and only secondarily to making a profit. Pharmacists and pharmacy technicians are healthcare professionals.

What does being a healthcare professional require of pharmacists and pharmacy technicians?

In choosing to become a pharmacist or pharmacy technician we acknowledge our understanding and commitment to the professional role, recognizing it is not about us – our own personal or business interests – it is about the patient.

We appreciate that our patients are vulnerable and may often be limited by personal and circumstantial factors which enhance and reinforce this vulnerability and that inherent within the healthcare professional/patient relationship there is an imbalance of power with the healthcare professional holding that power.

Patients trust that as healthcare professionals we will respect and protect their vulnerability and maintain professional boundaries within the healthcare professional/patient relationship as we use our knowledge, skills and abilities to make decisions that enhance their health and well-being.

Where does this obligation come from?

When we become a regulated healthcare professional we implicitly enter into what is commonly referred to as a “social contract with society”.

This contract requires that we keep our promise to act in the best interest of our patients and place their well-being first and foremost. It requires that we recognize and remember that we have not simply chosen a profession but also a vocation, committing ourselves to help and benefit those entrusted to our care in a spirit of altruism, goodwill, sincerity and integrity.

In exchange for our promise society agrees to provide our profession with the autonomy to govern ourselves as a self-regulating profession with all the privileges and statuses afforded regulated healthcare professionals.

Ethical Principles that Govern Healthcare Practice
In fulfilling our professional promise to our patients and to society, healthcare professionals are guided by the following ethical principles of healthcare:

**Beneficence (to benefit):**

The first foundational principle that forms and guides our commitment to serve and protect the best interests of our patients establishes the fact that our primary role and function as healthcare professionals is to benefit our patients. We need to remember that our patients seek our care and services because they believe and trust that we will apply our knowledge, skills and abilities to help make them better.

**Non maleficence (do no harm, and prevent harm from occurring):**

The second foundational principle that guides our commitment to serve and protect the best interests of our patients addresses the reality that as we strive to benefit our patients we must be diligent in our efforts to do no harm and, whenever possible, prevent harm from occurring.

**Respect for Persons/Justice:**

The third foundational principle merges the principles of “Respect for Persons” and “Justice” which collectively guide our understanding of how we ought to treat our patients. Respect for persons acknowledges that all persons, as a result of their intrinsic humanity, are worthy of our respect, compassion and consideration. We demonstrate this when we respect our patients’ vulnerability, autonomy and right to be self-governing decision-makers in their own healthcare. The principle of “Justice” requires that we fulfill our ethical obligation to treat all patients fairly and equitably.

**Accountability (Fidelity):**

The fourth and final foundational principle directly ties us to our professional promise to be responsible fiduciaries of the public trust ensuring that we keep our promise to our patients and society to always and invariably act in their best interests and not our own. It is this principle that holds us accountable, not just for our own actions and behaviours, but for those of our colleagues as well.

**Code of Ethics and Standards of Application**

The Ontario College of Pharmacists Code of Ethics is founded on the core ethical principles of healthcare: beneficence, non-maleficence, respect for persons/justice and accountability (fidelity). Code requirements are articulated in the form of guiding ethical principles, general statements of application and standards that specify the behaviours and attitudes that are required of all members registrants of the College as regulated healthcare professionals.

1. **Principle of Beneficence**

The ethical principle of “Beneficence” refers to the healthcare professional’s obligation to actively and positively serve and benefit the patient and society.

**Application**
Pharmacists and pharmacy technicians serve and benefit the patient and society’s best interests.

Standards

1.1 **Members** ensure that their primary focus at all times is the well-being and best interests of the patient.

1.2 **Members** utilize their knowledge, skills and judgment to actively make decisions that provide patient-centred care and optimize health outcomes for patients.

1.3 **Members** apply therapeutic judgment in order to assess the appropriateness of current or proposed medication therapy given individual patient circumstances.

1.4 **Members** seek information and ask questions of patients or their advocate to ascertain if the current or proposed medication provides the most appropriate therapy for the patient.

1.5 **Members** ensure that they consider relevant factors such as; age, mental capacity, lifestyle and living circumstances of the patient and adapt and tailor provision of care accordingly.

1.6 **Members** provide patients with the relevant and sufficient information they need in order to make more informed decisions about their healthcare.

1.7 **Members** ensure that information provided to patients is current and consistent with the standards of practice of the profession and best available evidence.

1.8 **Members** consider and take steps, when possible, to address factors that may be preventing or deterring patients from obtaining the pharmacy care or services required or from achieving the best possible health outcome.

1.9 **Members** prioritize care and services and provide adequate time to ensure that complex patients receive the care they need.

1.10 **Members** participate in consultation, communication and documentation with colleagues or other healthcare professionals to facilitate quality patient care.

1.11 **Members** make every reasonable effort to provide quality cost-effective pharmacy care and services to patients and society.

1.12 **Members** participate as appropriate and viable in public education programs that promote health and wellness and disease prevention.
1.13 Members Registrants strive to contribute to the development of the profession by participating in the education and mentoring of pharmacy students and interns, pharmacists and pharmacy technicians.

1.14 Members Registrants, within their roles and expertise, strive to conduct, participate in or promote appropriate research practices that advance pharmacy knowledge and practice.

1.15 Members Registrants ensure that when conducting and/or participating in research initiatives they are scientifically and ethically approved by a research ethics board that meets current ethical research standards.

1.16 Members Registrants strive to facilitate positive change in the healthcare system by actively participating in healthcare policy review and development as it applies to the practice of pharmacy.

2. Principle of Non Maleficence

The ethical principle of “Non Maleficence” refers to the healthcare professional’s obligation to protect their patients and society from harm.

Application

Pharmacists and Pharmacy Technicians, pharmacy technicians, refrain from participating in behaviours that may harm patients or society and whenever possible prevent harm from occurring.

Standards

2.1 Members Registrants refrain from participating in behaviours/attitudes which could potentially result in harm and utilize their professional judgment to make every reasonable and conscientious effort to prevent harm to patients and society.

2.2 Members Registrants practise only within their scope of practice, recognize their limitations and when necessary, refer the patient to a colleague or other healthcare professional whose expertise can best address the patient’s needs.

2.3 Members Registrants disclose medical errors and “near misses” and share information appropriately to manage risk of future occurrences.

2.4 Members Registrants act with honesty and transparency if harm does occur and assume responsibility for disclosing this harm to the patient and initiating steps to mitigate the harm.

2.5 Members Registrants challenge the judgment of their colleagues or other healthcare professionals if they have good reason to believe that their decisions or actions could adversely affect patient care.
2.6 **Members Registrants** provide the patient with relevant and sufficient information regarding the potential harms identified in terms of risks and the most frequent and serious side effects associated with the medication therapy or pharmacy service.

2.7 **Members Registrants** ensure that when they are involved in the patient’s transition from one healthcare provider or healthcare facility to another the relevant patient information is provided to the receiving healthcare provider or healthcare facility to ensure safe and effective transition of care.

2.8 **Members Registrants** provide only medications and health-related products that are from safe and proven sources, of good quality, and meet the standards required by law.

2.9 **Members Registrants** respect the patient’s right to privacy and confidentiality and take every reasonable precaution to protect patient confidentiality by preventing unauthorized or accidental disclosure of confidential patient information.

2.10 **Members Registrants** ensure that the healthcare professional/patient relationship is not exploited by the member registrant for any personal, physical, emotional, financial, social or sexual gain.

2.11 **Members Registrants** do not under any circumstances participate in sexual behaviour including, but not limited to:

   (i) Sexual intercourse or other forms of sexual relations between the member registrant and the patient;

   (ii) Touching of a sexual nature, of the patient by the member registrant; or

   (iii) Behaviour or remarks of a sexual nature, by the member registrant towards the patient.

2.12 **Members Registrants** do not under any circumstances participate in any form of harassment including, but not limited to:

   (i) Bullying or intimidating;

   (ii) Offensive jokes or innuendos;

   (iii) Displaying or circulating offensive images or materials; or

   (iv) Offensive or intimidating communications (phone calls, emails, text messages, etc.).

2.13 **Members Registrants** must, in circumstances where they are unwilling to provide a product or service to a patient on the basis of moral or religious grounds, ensure the following:
(i) that the member registrant does not directly convey their conscientious objection to the patient;

(ii) that the member registrant participates in a system designed to respect the patient’s right to receive products and services requested;

(iii) that there is an alternative provider available to enable the patient to obtain the requested product or service, which minimizes inconvenience or suffering to the patient.

2.14 Members Registrants may only consider ending the professional/patient relationship when the member registrant has met the following conditions:

(i) In his/her judgement the professional/patient relationship is compromised and/or issues cannot be resolved;

(ii) Considers the condition of the patient;

(iii) Considers the availability of alternative services; and

(iv) Provides the patient with notice and sufficient opportunity to arrange alternate services.

2.15 Members Registrants assume responsibility for making reasonable efforts to ensure continuity of patient care when they are unable or unwilling to provide requested pharmacy services.

2.16 Members Registrants in emergency situations, including pandemics and other public health emergencies where the health of the patient or the public is at risk, have a duty to provide patient care within their professional competence and expertise.

2.17 Members Registrants maintain appropriate human resources to facilitate compliance with Standards of Practice and relevant legislation, policies and guidelines governing the practice of pharmacy and the operation of pharmacies to ensure that professional performance and the health of others in the work place are not compromised.

2.18 Members Registrants raise concerns to the appropriate authority if they reasonably believe human resources, policies, procedures, working conditions or the actions, professional performance or health of others may compromise patient care or public safety.

2.19 Members Registrants assign tasks only to those individuals who are competent and trained to do them.

2.20 Members Registrants ensure that they remain current with respect to professional knowledge and skills and are committed to continuous lifelong learning and professional improvement throughout their professional working life.
3. **Principle of Respect for Persons/Justice**

The ethical principle of Respect for Persons/Justice refers to the healthcare professional’s dual obligations to respect and honour the intrinsic worth and dignity of every patient as a human being and to treat all patients fairly and equitably.

**Application**

Pharmacists and Pharmacy Technicians respect their patients as self-governing decision-makers in their healthcare and treat all patients fairly and equitably.

**Standards**

3.1 **Members** Recognize and respect the vulnerability of patients.

3.2 **Members** Respect and value the autonomy and dignity of patients.

3.3 **Members** Practise patient-centred care and treat patients with sensitivity, caring, consideration and respect.

3.4 **Members** Listen to patients to seek understanding of their needs, values and desired health goals and respect their right to be an active decision-maker in their healthcare.

3.5 **Members** Respect the patient’s values, customs and beliefs and their right to hold these as self-governing decision-makers.

3.6 **Members** Respect the patient’s right to privacy and do not disclose confidential information without the consent of the patient unless authorized by law or by the need to protect the welfare of the patient or the public.

3.7 **Members** Seek only that information that is reasonable to make informed decisions about the patient’s health and the treatment alternatives that align with the patient’s treatment goals, unless otherwise authorized by law.

3.8 **Members** Respect the patient’s right to accept or refuse treatment and/or services offered, without prejudice.

3.9 **Members** Respect the patient’s right to choose a pharmacy and/or pharmacy professional and facilitate the patient’s wish to change or transfer pharmacy care and services as requested.

3.10 **Members** Obtain the patient’s consent, implied or expressed, prior to the provision of pharmacy care or services.

3.11 **Members** Respect the right of a competent minor to provide informed consent and make decisions about their healthcare.
3.12 **Members Registrants** recognize and respect the right of a legally authorized substitute decision-maker to make decisions on the incompetent patient’s behalf.

3.13 **Members Registrants** recognize the known wishes/intentions of a patient who is not competent where those wishes/intentions, through a personal directive, were expressed before the person became incompetent.

3.14 **Members Registrants** ensure that their views about a patient’s personal life, religious beliefs, and other morally irrelevant factors such as: race, gender, identity, sexual orientation, age, disability, marital status and any other factor(s), do not prejudice their opinion of the patient and affect the quality of service that they provide to the patient.

3.15 **Members Registrants** recognize the power imbalance inherent in the healthcare professional/patient relationship and assume responsibility for maintaining appropriate professional boundaries at all times.

3.16 **Members Registrants** provide fair and equitable access to pharmacy services and deliver consistent quality of care to all patients regardless of socio-economic status, culture, disease state or any other related factor that might unfairly bias patient care.

3.17 **Members Registrants** advocate for the fair treatment and fair distribution of resources for those in their care.

3.18 **Members Registrants** make fair decisions about the allocation of resources under their control based on the needs of persons, groups or communities to whom they are providing care and services.

4. **Principle of Accountability (Fidelity)**

The ethical principle of Accountability (Fidelity) refers to the healthcare professional’s fiduciary duty to be a responsible and faithful custodian of the public trust.

**Application**

Pharmacists and Pharmacy Technicians maintain the public trust by ensuring that they act in the best interest of their patients and society.

In order to fulfill their fiduciary duty to maintain the public trust:

A. **Members Registrants** practise within their scope of practice, in accordance with their Code of Ethics, Standards of Practice and all relevant legislation, policies and guidelines and only when competent to do so.

B. **Members Registrants** refrain from participating in unethical business practices.

C. **MembersRegistrants** avoid conflict of interest.

**Standards**
A. General Responsibilities

4.1 **Members Registrants** abide by the spirit of this Code which applies to the practice of the profession of pharmacy and the operation of pharmacies.

4.2 **Members Registrants** conduct themselves with personal and professional integrity at all times and ensure that they demonstrate good character and maintain good standing with the College.

4.3 **Members Registrants** ensure that they only practise when they are competent, with respect to both relevant knowledge and skill and physical, emotional and mental capacity, to do so.

4.4 **Members Registrants** assume responsibility for all decisions and actions they undertake in professional practice, including failure to make a decision and take appropriate action when necessary.

4.5 **Members Registrants** do not perform controlled acts under their scope of practice for an unethical or illegal purpose.

4.6 **Members Registrants** ensure that all professional documentation is accurately maintained in accordance with practice standards.

4.7 **Members Registrants** maintain confidentiality in creating, storing, accessing, transferring and disposing of records they maintain and control.

4.8 **Members Registrants** understand that their trust in the care provided by colleagues and other healthcare professionals must be balanced with critical evaluation.

4.9 **Members Registrants** must be diligent in identifying and responding to red flag situations that present in practice.

4.10 **Members Registrants** report professional incompetence or unethical behaviour by colleagues or other healthcare professionals to the appropriate regulatory authority.

4.11 **Members Registrants** take appropriate steps to prevent and report the misuse or abuse of substances by themselves, patients, colleagues, other healthcare professionals or other pharmacy employees.

4.12 **Members Registrants** do not practise under conditions which compromise their professional judgment and impede their ability to provide quality patient care and services.

4.13 **Members Registrants** participate in responsible and ethical communication and ensure that any comments or images communicated are not offensive and do not in any manner discredit the member or the profession.
4.14 **Members Registrants** ensure that when power imbalances exist in professional working relationships they do not exploit these relationships for personal, physical, emotional, financial, social or sexual gain.

4.15 **Members Registrants** co-operate in any inspection, assessment, review or audit conducted by the College or any other authorized person or organization and abide by any undertakings or restrictions placed on their practice as result of an investigation.

4.16 **Members Registrants** recognize that self-regulation of the profession is a privilege and that each pharmacist and pharmacy technician has a professional responsibility to merit this privilege by maintaining public trust and confidence in each member registrant individually and the profession as a whole.

### B. Participate in Ethical Business Practices

4.17 **Members Registrants** recognize that their patient’s best interests must always override their own interests or the interests of the business which the member registrant owns, has a financial interest in or is employed by.

4.18 **Members Registrants** only provide pharmacy care and services that are of good quality and intended to optimize the patient’s health outcomes and do not compromise patient care for corporate or business interests or financial gain.

4.19 **Members will Registrants shall** not provide pharmacy services, care or products where there is no potential benefit to the patient.

4.20 **Members Registrants** do not influence, persuade or pressure patients to accept pharmacy services in order to retain the patient’s business.

4.21 **Members will Registrants shall** not compromise their professional integrity in order to further institutional or business interests and promote financial gain to the detriment of the patient and public interest.

4.22 **Members Registrants** are honest in dealings with patients, colleagues, other healthcare professionals, the College, other organizations, service suppliers, and public or private payers related to the practice of the profession and to the operation of the pharmacy.

4.23 **Members Registrants** are transparent in the fees that they charge and ensure that these are communicated to patients in advance of the provision of the service or product provided.

4.24 **Members Registrants** do not submit charges to patients or to any third party drug payment plan for services that they know or ought to know are false and fraudulent.

4.25 **Members Registrants** do not participate in any practice that involves falsifying patient health records or member registrant practice records.
4.26 **Members** Registrants must ensure that they do not participate in any form of advertising or promotion that contravenes this Code, Standards of Practice or relevant legislation, policies or guidelines, reflects poorly on the profession or breaches public trust and confidence.

**C. Avoid Conflict of interest**

**Members** Registrants need to proceed with caution and conscientiously exercise professional judgment in dealing with conflict of interest situations which they may encounter in practice but which are not explicitly addressed below.

4.27 **Members** Registrants avoid situations that are or may reasonably be perceived to construe a conflict of interest.

4.28 **Members** Registrants avoid dual relationships and other situations which may present a conflict of interest and potentially affect the member registrant’s ability to be impartial and unbiased in their decision-making.

4.29 **Members** Registrants declare any personal or professional interests and inform the relevant party(s) if they are involved in a real, perceived or potential conflict of interest and resolve the situation in the best interests of the patient and public safety as soon as possible.

4.30 **Members** Registrants involved in decision-making must disclose any relationship they are involved in that may influence or appear to others to influence their objectivity.

4.31 **Members** Registrants enter into relationships with industry which are appropriate and in compliance with this Code and which allow them to maintain their professional integrity and retain public trust and confidence.

4.32 **Members** Registrants do not provide rewards or incentives that have the potential to adversely influence patient decisions which may result in harm to the patient.

4.33 **Members** Registrants do not ask for or accept gifts, inducements or referrals that may affect or be perceived to affect their professional judgment.

4.34 **Members** Registrants ensure that they do not participate in referral programs with other **members** Registrants or with members of other healthcare professions for the expressed purpose of benefiting financially.

4.35 **Members** Registrants limit their treatment of self and the members of their immediate family to minor conditions and emergency circumstances unless another appropriate healthcare professional is not readily available.
SCHEDULE B

THE “CODE OF CONDUCT” FOR COUNCIL DIRECTORS AND COMMITTEE MEMBERS

Members of Council Directors and members of Committees will shall,

(a) be familiar and comply with the provisions of the Regulated Health Professions Act, 1991, the Health Professions Procedural Code, the Pharmacy Act, the Drug and Pharmacies Regulation Act and their regulations, and the by-laws and policies of the College;

(b) be prepared to participate in Council Board meetings and Committee work including reading background materials and briefing documents;

(c) diligently take part in Committee work and actively serve on Committees as appointed by the Council Board;

(d) regularly attend meetings on time (including not missing three (3) or more consecutive meetings without reasonable cause) and participate constructively in discussions;

(e) offer opinions and express views on matters before the College, Council Board and Committee, when appropriate;

(f) participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of Council Directors and Committee members;

(g) uphold the decisions made by a majority of Council the Board and Committees, regardless of the level of prior individual disagreement;

(h) place the interests of the College, Council Board and Committee above other interests;

(i) avoid and, where that is not possible, declare any appearance of or actual conflicts of interest and remove oneself from discussing or voting on any issue where there is a conflict of interest;

(j) refrain from including or referencing Council Director or Committee titles or positions held at the College in any personal or business promotional materials, advertisements and business cards (although referencing one’s titles or positions held at the College in one’s curriculum vitae is acceptable so long as the curriculum vitae is not overtly used in a promotional manner);

(k) preserve confidentiality of all information before Council the Board or Committee unless disclosure has been authorized by Council the Board or is otherwise exempted under the RHPA (e.g., it is already in the public domain);
(l) refrain from attempting to influence a statutory decision unless one is a member of a panel of the Committee or, where there is no panel, of the Committee dealing with the matter;

(m) respect the boundaries of staff whose role is not to report to or work for individual Council Directors or Committee members including not contacting staff members directly, except on matters where the staff member has been assigned to provide administrative support to that Committee or the Council Board or where otherwise appropriate; and

(n) be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment.
SCHEDULE C

RULES OF ORDER OF THE COUNCIL BOARD

1. Each agenda topic shall be introduced briefly by the person or Committee representative raising it. Council Members Directors may ask questions of clarification, then the person introducing the matter shall make a motion and another Council Member Director must second the motion before it can be debated.

2. When any Council Member Director wishes to speak, he or she shall so indicate by raising his or her hand and shall address the presiding officer and confine himself or herself to the matter under discussion.

3. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to answer specific questions about the matter.

4. Observers at a Council Board meeting are not allowed to speak to a matter that is under debate.

5. A Council Member Director may not speak again on the debate of a matter until every other Council Member Director who wishes to speak to it has been given an opportunity to do so. The only exception is that the person introducing the matter or a staff person may answer questions about the matter. Council Member Director shall not speak to a matter more than twice without the permission of the presiding officer.

6. No Council Member Director may speak longer than five (5) minutes upon any motion except with the permission of Council Board.

7. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Council Board meeting or to refer the motion to a Committee.

8. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.

9. When it appears to the presiding officer that the debate on a matter has concluded, when Council Board has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the presiding officer shall put the motion to a vote.

10. When a matter is being voted on, no Council Member Director shall enter or leave the Council Board room, and no further debate is permitted.

11. No Council Member Director is entitled to vote upon any motion in which he or she has a conflict of interest, and the vote of any Council Member Director so interested shall be disallowed.
12. Any motion decided by the Council Board shall not be re-introduced during the same meeting except by a two-thirds vote of the Council Member, Director then present and eligible to vote.

13. Whenever the presiding officer is of the opinion that a motion offered to the Council Board is contrary to these rules or the by-laws, he or she shall rule the motion out of order and give his or her reasons for doing so.

14. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council Board without debate.

15. The above rules may be relaxed by the presiding officer if it appears that greater informality is beneficial in the particular circumstances, unless the Council Board requires strict adherence.

16. Council Members, Directors are not permitted to discuss a matter with observers while it is being debated including during any recess of the debate.

17. Council Members, Directors and others present in the room shall turn off cell phones or put them on vibrate during Council Board meetings and, except during a break in the meeting, shall not use a cell phone, blackberry or other electronic device. Laptops and tablets may only be used during Council Board meetings to review materials related to the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.

18. Council Members, Directors shall be silent while others are speaking except to bring a permissible motion.

19. In all cases not provided for in these rules or by other rules of Council the Board, the current edition of “Robert’s Rules of Order” shall be followed so far as they may be applicable.

20. These Rules shall apply, with necessary modifications, to meetings conducted by teleconference or any other electronic means permitted by the by-laws, including audio or video conferencing.
SCHEDULE D

SCHEDULE OF FEES

[See attached]
## SCHEDULE OF FEES

(ARTICLES 19-21, BYLAW NO. 6)

All fees and penalties are subject to Harmonized Sales Tax (HST).

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- **Deletion**
- **Moved from**
- **Moved to**
- **Style change**
- **Format change**
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- **Split/Merged cell**
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DRAFT By-Law No. 6  
Clause by Clause Comparison of Amended Sections

The following table does not include clauses amended solely for changes to defined terms or housekeeping matters.

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<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<td>1.1 Meaning of Words, Definitions.</td>
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<td>1.1.2 “Applicant” means an applicant as defined in the Drug and Pharmacies Regulation Act Regulations;</td>
<td>Deleted.</td>
<td>The terms “applicant” and “Applicant” were both used in the By-Law and created a potential for confusion.</td>
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<td>1.1.7 “Chair” means, depending on the context, the Chair of a Statutory Committee or a standing Committee, or the person presiding at a meeting of the Council;</td>
<td>1.1.7 “Chair” means, depending on the context, the Chair of a Statutory or the chair of the Board and for the purpose of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, means the President of the College, and “chair” means the chair of a Committee or a standing Committee, or the person presiding at a meeting of the Council Board, as the context requires;</td>
<td>The title of “President” has been replaced with “Chair”. Consequential amendments have been made throughout the By-Law.</td>
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<td>1.1.15 “Council” means the Council of the College;</td>
<td>Deleted.</td>
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</tr>
<tr>
<td>1.1.16 “Council member” or “member of Council” means a person who has been elected or appointed as a member of Council;</td>
<td>Deleted.</td>
<td></td>
</tr>
<tr>
<td>1.1.19 “Director of Conduct” means the person who, from time to time, holds the title of Director of Conduct of the College,</td>
<td>Deleted.</td>
<td></td>
</tr>
<tr>
<td>1.1.20 “Director, Corporate Services” means the person who,</td>
<td>Deleted.</td>
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<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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</thead>
<tbody>
<tr>
<td>from time to time, holds the title of Director, Corporate Services of the College;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1.21 <strong>Director of Quality</strong> means the person who, from time to time, holds the title of Director of Quality of the College;</td>
<td>Deleted.</td>
<td>As above.</td>
</tr>
<tr>
<td>None.</td>
<td>1.1.19 <strong>Director Profile</strong> means the combination of patient populations served as set out in subparagraph 5.9.1, and knowledge, skills and experience as set out in subparagraph 5.9.2, that will be required of applicants who seek to be qualified as candidates for election to the Board, as determined by the Governance Committee;</td>
<td>To support the new competency-based election process contained in paragraph 5.9 of the amended By-Law.</td>
</tr>
<tr>
<td>None.</td>
<td>1.1.22 <strong>Elected Director</strong> means a Director elected to the Board in accordance with this By-Law;</td>
<td>The By-Law uses the terms “Public Director” and “Elected Director” to distinguish Directors who are Registrants and Directors who are appointed.</td>
</tr>
<tr>
<td>1.1.28 <strong>Inspector</strong> means an individual appointed pursuant to section 148(1) of the Drug and Pharmacies Regulation Act, otherwise referred to as a “practice advisor”.</td>
<td>Deleted.</td>
<td>The terms “inspector” and “Inspector” were both used in the By-Law and created a potential for confusion.</td>
</tr>
<tr>
<td>None.</td>
<td>1.1.25 <strong>Lay Committee Appointee</strong> means an individual appointed under this By-Law to serve as a member of a Committee who is neither a Director nor a Registrant;</td>
<td>To ensure public voice on committees that do not have a government appointed Public Member and to supplement the public voice on those that do.</td>
</tr>
<tr>
<td>1.1.29 <strong>Member</strong> means a member of the College;</td>
<td>1.1.29 <strong>Member</strong> “Registrant” means a member of the College;</td>
<td>The title of “Member” has been replaced with “Registrant”. Consequential amendments have been made throughout the By-Law.</td>
</tr>
<tr>
<td>None.</td>
<td>1.1.33 <strong>Public Director</strong> means a Director appointed to the</td>
<td>The By-Law uses the terms “Public Director” and “Elected Director”.</td>
</tr>
<tr>
<td>1.1.34 <strong>President</strong> and “Vice-President” mean, respectively, the persons who, from time to time, hold the titles of the President and the Vice-President of the College;</td>
<td>Deleted.</td>
<td>See “Chair” and “Vice-Chair”.</td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>None.</td>
<td><strong>1.1.38 “Vice-Chair” means the vice-chair of the Board and for the purpose of the Act, the RHPA Regulations, the Code, the Pharmacy Act, the Pharmacy Act Regulations, and any other legislation or policy where the context requires, means the Vice-President of the College.</strong></td>
<td>The title of “Vice-President” has been replaced with “Vice-Chair”. Consequential amendments have been made throughout the By-Law.</td>
</tr>
<tr>
<td>None.</td>
<td><strong>1.2 Amendments.</strong> Whenever reference is made in a By-Law to any statute or regulation, such reference shall be deemed to include any amendment to such statute or regulation as may be made from time to time.</td>
<td>References to amendments have been taken out of each individual reference to legislation.</td>
</tr>
</tbody>
</table>

**ARTICLE 4 - RESTRICTION ON COUNCIL DIRECTORS AND COMMITTEE MEMBERS**

| None | **4.1 Restriction on Directors.** A Director shall not be an employee of the College. | |
| 4.1 Restriction on Council Members. No member of Council shall be an employee of the College. | **4.2 Restriction on Council Committee Members.** No A member of Council Committee shall not be an employee of the College. | In addition to a restriction on Council Members (referred to as Directors in the proposed amendments) being employees, employees are also prohibited from serving on Committees. |

**ARTICLE 5 - ELECTION OF COUNCIL MEMBERS DIRECTORS**

| None | **5.1 Electoral Districts K, L, M, N, P.** The following Electoral Districts are established for the purpose of the election of members of Council who hold a Certificate of Registration as a Pharmacist: | |
| 5.1.1 Electoral District K (Eastern Ontario), comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter K. | **Deleted.** | Elections will no longer be based on electoral districts. |
| 5.1.2 Electoral District L (Central Ontario), comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter L. | | |

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<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tr>
<td>5.1.3 Electoral District M (Toronto), comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter M.</td>
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<tr>
<td>5.1.4 Electoral District N (Western Ontario), comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter N.</td>
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<tr>
<td>5.1.5 Electoral District P (Northern Ontario), comprised of all addresses within the Canadian Postal Code boundaries whose postal code begins with the letter P.</td>
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<tr>
<td>5.2 Electoral District H. The following Electoral District is established for the purpose of the election of members of Council who hold a Certificate of Registration as a Pharmacist and whose place of practice for election purposes on June 1 immediately preceding the election, is in, or for, a hospital in Ontario that has been approved or licensed under a federal or provincial statute:</td>
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<tr>
<td>5.2.1 Electoral District H, comprised of the Province of Ontario.</td>
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<td>5.3 Electoral District T. The following Electoral District is established for the purpose of the election of a member of Council who holds a Certificate of Registration as a Pharmacy Technician:</td>
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<tr>
<td>5.3.1 Electoral District T, comprised of the Province of Ontario.</td>
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<tr>
<td>5.4 Electoral District TH. The following Electoral District is established for the purpose of the election of a member of Council who holds a Certificate of Registration as a Pharmacy Technician and whose place of practice for election purposes on June 1 immediately preceding the election, is in a hospital in Ontario that has been approved or licensed under a federal or provincial statute:</td>
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<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>5.4.1 Electoral District TH, comprised of the Province of Ontario.</td>
<td>5.5.1 Number of Members to be Elected Directors.</td>
<td>Elections will no longer be based on electoral districts. The Board will be comprised of the minimum number of Elected Directors (nine), two of whom shall be pharmacy technicians. The Board has the ability to increase the number of Elected Directors in a given election to mirror the number of Public Directors if that number is higher than nine.</td>
</tr>
<tr>
<td>5.5 Number of Members to be Elected.</td>
<td>5.5.1 The number of members of Council to be elected is: (a) Three (3) in each of Electoral Districts L, M, and N; (b) Two (2) in each of Electoral Districts K and P; (c) Two (2) in Electoral District H; (d) One (1) in Electoral District T; and (e) One (1) in Electoral District TH.</td>
<td></td>
</tr>
<tr>
<td>5.5.1 The number of members of Council to be elected is:</td>
<td>(a) Three (3) in each of Electoral Districts L, M, and N; (b) Two (2) in each of Electoral Districts K and P; (c) Two (2) in Electoral District H; (d) One (1) in Electoral District T; and (e) One (1) in Electoral District TH.</td>
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<tr>
<td>5.5.1 Subject to subparagraph 5.1.2, there shall be nine (9) Elected Directors elected to the Board, of whom two (2) shall be pharmacy technicians.</td>
<td>5.1.2 In the event that the number of Public Directors exceeds nine (9), the Board may increase the number of Elected Directors to be elected at the next annual August election to correspond to the number of Public Directors. Any such additional Elected Directors shall be pharmacists.</td>
<td></td>
</tr>
<tr>
<td>5.5.1 In the event that the number of Public Directors exceeds nine (9), the Board may increase the number of Elected Directors to be elected at the next annual August election to correspond to the number of Public Directors. Any such additional Elected Directors shall be pharmacists.</td>
<td>5.1.3 If the number of Public Directors is subsequently reduced, the Board may reduce the number of Elected Directors to be elected at the next annual August election to equal the number of Public Directors then-appointed.</td>
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</tr>
<tr>
<td>5.6 Voting Eligibility. Every Member who holds a valid Certificate of Registration as a Pharmacist or a Pharmacy Technician, who practises or resides in Ontario, and who is not in default of payment of the annual fee, is entitled to vote in an election of members to the Council in the Electoral District in which his or her place of practice is located on June 1 immediately preceding the election.</td>
<td>5.6.2 Voting Eligibility. Every Member Regrant who holds a valid Certificate of Registration as a Pharmacist or a Pharmacy Technician, who practises or resides in Ontario, and who is not in default of payment of the annual fee, is entitled to vote in an election of Directors of members to the Council in the Electoral District in which his or her place of practice is located on June 1 immediately preceding</td>
<td>Throughout the amended By-Law, “Pharmacist” and “Pharmacy Technician” have been revised to lower case as they are not defined terms. All Registrants (excluding student an intern class) will be able to vote for all positions on the Board, since the positions are no longer divided by Electoral District.</td>
</tr>
<tr>
<td>5.6.2 A Member who holds a Certificate of Registration as a Pharmacist or a Pharmacy Technician, who practises or resides in Ontario, and who is not in default of payment of the annual fee, is entitled to vote in an election of members to the Council in the Electoral District in which his or her place of practice is located on June 1 immediately preceding the election.</td>
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<td>Existing Clause</td>
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<tr>
<td>Pharmacist shall only be eligible to vote in one of Electoral Districts K, L, M, N, P and H and a Member who holds a Certificate of Registration as a Pharmacy Technician shall only be eligible to vote in one of Electoral Districts T or TH.</td>
<td>5.6.2 A Member who holds a Certificate of Registration as a Pharmacist shall only be eligible to vote in one of Electoral Districts K, L, M, N, P and H and a Member who holds a Certificate of Registration as a Pharmacy Technician shall only be eligible to vote in one of Electoral Districts T or TH.</td>
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</tr>
<tr>
<td>5.6.3 Neither a Registered Pharmacy Student nor an Intern is entitled to vote.</td>
<td>5.6.3 Neither a Registered Pharmacy Student nor an Intern is entitled to vote.</td>
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</tr>
<tr>
<td>5.6.4 If, as of June 1 immediately preceding an election, a Member has no fixed place of practice, the Member may vote in the Electoral District in which he or she resides or, in the case of a Member who holds a Certificate of Registration as a Pharmacy Technician, in Electoral District T.</td>
<td>5.6.4 If, as of June 1 immediately preceding an election, a Member has no fixed place of practice, the Member may vote in the Electoral District in which he or she resides or, in the case of a Member who holds a Certificate of Registration as a Pharmacy Technician, in Electoral District T.</td>
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<tr>
<td>5.6.5 If, as of June 1 immediately preceding an election, a Member has a place of practice in more than one Electoral District, the Member shall declare to the Registrar which Electoral District is to be considered his or her place of practice for election purposes, and he or she may vote only in that Electoral District.</td>
<td>5.6.5 If, as of June 1 immediately preceding an election, a Member has a place of practice in more than one Electoral District, the Member shall declare to the Registrar which Electoral District is to be considered his or her place of practice for election purposes, and he or she may vote only in that Electoral District.</td>
<td></td>
</tr>
<tr>
<td>5.6.6 If the place of practice for election purposes of a Member is in a hospital in Ontario approved or licensed under a federal or provincial statute, he or she may only vote in Electoral District H (in the case of a Pharmacist) or Electoral District TH (in the case of a Pharmacy Technician).</td>
<td>5.6.6 If the place of practice for election purposes of a Member is in a hospital in Ontario approved or licensed under a federal or provincial statute, he or she may only vote in Electoral District H (in the case of a Pharmacist) or Electoral District TH (in the case of a Pharmacy Technician).</td>
<td></td>
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</table>

None.

5.3 Renewal of the Board - August 2020.

5.3.1 Subject to subparagraph 5.3.2, the terms of office of all Elected Directors who are members of the Council as of the date that this By-Law comes into effect (the "Incumbent Elected Directors") will end on the date of the first meeting of the Board held after the election in August 2020, and seven (7)
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<tr>
<td>Elected Directors shall be elected to the Board in accordance with this By-Law at the election in August 2020 for the terms of office set out in paragraph 5.6.</td>
<td><strong>Existing Clause</strong> 5.3.2. Notwithstanding subparagraph 5.3.1, the Board shall select two (2) Incumbent Elected Directors who sit on the Executive Committee as of the date that this By-Law comes into effect, who will have their terms of office continue for one (1) year and two (2) years, respectively, following the August 2020 election.</td>
<td>The candidates receiving the highest number of votes will be elected to the longer terms. There will be one, two and three year terms in the first election after the amended By-Law comes into effect in order to provide continuity and renewal.</td>
</tr>
</tbody>
</table>

**5.7 Terms of Office.** The term of office of a person elected to Council shall be three (3) years, commencing at the first meeting of Council after the election.

**Proposed New Clause**

5.7 Terms of Office The term of office of a person elected to Council shall be three (3) years, commencing at the first meeting of Council after the election in August 2020.

The terms of office of the seven (7) Elected Directors elected in August 2020 will commence at the first meeting of the Board following the election and end, subject to paragraph 5.11, as follows:

5.5.1 the two (2) pharmacists who receive the highest number of votes out of all pharmacist candidates will be elected for a three (3)-year term;

5.5.2 the pharmacy technician who receives the highest number of votes out of all pharmacy technician candidates will be elected for a three (3)-year term;

5.5.3 the pharmacy technician who receives the second highest number of votes of all pharmacy technician candidates will be elected for a two (2)-year term;

5.5.4 the pharmacist who receives the third highest number of votes out of all pharmacist candidates will be elected for a two (2)-year term;

5.5.5 the two (2) pharmacists who receive the fourth and fifth highest number of votes out of all pharmacist candidates will each be elected for a one (1)-year term, and
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<th>Existing Clause</th>
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<th>Rationale</th>
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</thead>
</table>
| 5.5.6 if there is tie among candidates and it is necessary to break the tie to determine who will receive the longer term between the candidates, the Registrar shall break the tie by lot. | **5.6 Terms of Office - After August 2020.**  
5.6.1 The term of office of an Elected Director who is elected in each annual election beginning with the August 2021 election will be three (3) years, commencing at the first meeting of the Board after the election.  
5.6.2 No Elected Director who is first elected in the August 2020 election may serve as a Director for more than six (6) consecutive years.  
5.6.3 No Director who is a member of Council on the date this By-Law comes into effect may serve for more than nine (9) consecutive years (inclusive of years of service prior to the date this By-Law comes into effect).  
5.6.4 If an Elected Director reaches the end of his or her maximum service prior to the end of his or her term, the Elected Director will cease to hold office and his or her position on the Board will be filled by way of a by-election in accordance with paragraph 5.20. | After the first election, terms will return to three years in length, subject to a six consecutive year limit. Directors in office prior to the coming into force of the amended By-Law will continue to be subject to a nine consecutive year limit. |

5.8 Election Date.

5.8.1 An election of members of Council for Electoral Districts N and H shall be held on the first Wednesday in August 2018 and every third (3rd) year after that.

5.8.2 An election of members of Council for Electoral Districts K, L, T and TH shall be held on the first Wednesday in August 2019 and every third (3rd) year after that.

5.8.3 An election of members of Council for Electoral Districts M and P shall be held on the first Wednesday in August 2020 and every third (3rd) year after that.

5.8.4 Election Date.

5.8.4 An election of members of Council for Electoral Districts N and H shall be held on the first Wednesday in August 2018 and every third (3rd) year after that year beginning in 2020, for the number of positions on the Board that are then available.
<table>
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<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>and every third (3rd) year after that.</td>
<td>5.8.3 An election of members of Council for Electoral Districts M and P shall be held on the first Wednesday in August 2020 and every third (3rd) year after that.</td>
<td></td>
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</tbody>
</table>

**5.9 Eligibility for Election.**

5.9.1 A Member who holds a valid Certificate of Registration as a Pharmacist or as a Pharmacy Technician is eligible for election to the Council in one of Electoral Districts K, L, M, N, P and H (in the case of a Pharmacist) or in one of Electoral Districts T and TH (in the case of a Pharmacy Technician) if, on June 1 immediately preceding the election:

(a) in the case of a Member who proposes to run in Electoral Districts K, L, M, N, P or Electoral District T, the Electoral District in which the Member proposes to run is the Member’s place of practice for election purposes, and is where the majority of his or her time in the practice of pharmacy is spent, or alternatively, is the location of the Member’s permanent residence;

(b) in the case of a Member who proposes to run in Electoral District H or TH the majority of the Member’s time in the practice of pharmacy is spent in a hospital in Ontario that has been approved or licensed under a federal or provincial statute, which is the Member’s place of practice for election purposes;

(c) the Member is not in default of payment of any fees prescribed in the By-Laws;

(d) the Member is not the subject of any disciplinary or incapacity proceeding;

(e) the Member’s Certificate of Registration has not been revoked or suspended in the six (6) years preceding the date of the election;

(f) the Member is not a Registered Pharmacy Student or

5.9.7 A Member Registrant who holds a valid Certificate of Registration as a Pharmacist or as a Pharmacy Technician is eligible to seek to be a candidate for election to the Council in one of Electoral Districts K, L, M, N, P and H (in the case of a Pharmacist) or in one of Electoral Districts T and TH (in the case of a Pharmacy Technician) if, on June 1 immediately preceding the election Board if he or she meets the following requirements:

(a) in the case of a Member who proposes to run in Electoral Districts K, L, M, N, P or Electoral District T, the Electoral District in which the Member proposes to run is the Member’s place of practice for election purposes, and is where the majority of his or her time in the practice of pharmacy is spent, or alternatively, is the location of the Member’s permanent residence;

(b) in the case of a Member who proposes to run in Electoral District H or TH the majority of the Member’s time in the practice of pharmacy is spent in a hospital in Ontario that has been approved or licensed under a federal or provincial statute, which is the Member’s place of practice for election purposes;

 Note: An additional eligibility requirement was proposed in the Briefing Note for the Council meeting on September 16 and 17 and approved by Council: “depending on the seriousness of the nature of the concern, the Registrant has been the subject of no more than two (2) Inquiries, Complaints and Reports Committee dispositions that have resulted in a posting to the public register”. This requirement has not been included in the draft By-Law. A number of sections were deleted to remove Electoral Districts
<table>
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<tr>
<th>Existing Clause</th>
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<td>Intern;</td>
<td></td>
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<tr>
<td>(g) the Member’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;</td>
<td>the election Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee.</td>
<td>There will be a cooling off period of three years before a former member of a Professional Advocacy Association can be elected as a Director.</td>
</tr>
<tr>
<td>(h) the Member is not an employee, officer or director of a Professional Advocacy Association, or, if the Member is such an employee, officer or director of a Professional Advocacy Association, the Member gives an undertaking to resign from such position upon being elected or acclaimed to the Council. For greater certainty, nothing in this clause shall prevent a Member who serves on an association or organization to which he or she has been appointed by Council as a representative of the College, from running for election to Council;</td>
<td>(d) the Member Registrant is not a Registered Pharmacy Student or Intern registered pharmacy student or intern;</td>
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<tr>
<td>(i) the Member has not been disqualified from serving on Council or a committee within the six (6) years immediately preceding the election;</td>
<td>(e) the Member Registrant’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;</td>
<td></td>
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<tr>
<td>(j) the Member is not an adverse party in litigation against the College, the Council, a committee of the Council or any of its directors, officers, employees or agents;</td>
<td>(f) the Member Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association, or, if the Member is such an employee, officer or director of a Professional Advocacy Association, the Member gives an undertaking to resign from such position upon being elected or acclaimed to the Council. For greater certainty, nothing in this clause shall prevent a Member Registrant who serves on an association or organization to which he or she has been appointed by Council as a representative of the College, from running for election to Council; to be an Elected Director;</td>
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<tr>
<td>(k) the Member has not, in the opinion of the Elections Committee, engaged in conduct unbecoming a Council member; and</td>
<td>(g) the Member Registrant has not been disqualified from serving on Council or a committee within the six (6) years immediately preceding the election;</td>
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<tr>
<td>(l) the Member is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the election, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection.</td>
<td>(h) where the Registrant was formerly a Director, it has been at least three (3) years since he or she was a Director;</td>
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<tr>
<td>5.9.2 Every Member who proposes to run for election to the Council shall establish, to the satisfaction of the Elections Committee, that he or she meets the place of practice or</td>
<td>(i) the Registrant is not an adverse party in litigation against the College, the Council, a committee of the Council or any of its directors, Board, a Committee or any of the College’s officers, employees or agents;</td>
<td>This criterion has been added to create a cooling off period in between terms as a Director.</td>
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<td>the requirement that the Registrant commits to devoting sufficient time in his or her practice.</td>
<td>(j) the Registrant commits to devoting sufficient time in his or her practice.</td>
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<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<td>residency requirement in the Member’s Electoral District. In the event of a dispute about whether a Member meets those requirements, or otherwise regarding the eligibility of a Member for election to Council, the Elections Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. In the event that the Executive Committee finds that the Member does not meet the place of practice or residency requirement in the Member’s Electoral District, or that the Member is not otherwise eligible for election, it shall disqualify the Member as a candidate.</td>
<td>or her schedule to participating in all required Board and Committee activities; (k) the <strong>MemberRegistrant</strong> has not, in the opinion of the <strong>Election Screening</strong> Committee, engaged in conduct unbecoming a <strong>Council member Director</strong>; and (l) the <strong>MemberRegistrant</strong> is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the election, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection.</td>
<td>Disputes as to eligibility are addressed in subparagraph 5.10.7 and subparagraph 5.10.8. The portions of the bylaw related to electoral districts have been deleted.</td>
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<td><strong>5.9.2</strong> Every Member who proposes to run for election to the Council shall establish, to the satisfaction of the Elections Committee, that he or she meets the place of practice or residency requirement in the Member’s Electoral District. In the event of a dispute about whether a Member meets those requirements, or otherwise regarding the eligibility of a Member for election to Council, the Elections Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. In the event that the Executive Committee finds that the Member does not meet the place of practice or residency requirement in the Member’s Electoral District, or that the Member is not otherwise eligible for election, it shall disqualify the Member as a candidate.</td>
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<tr>
<td><strong>5.10 Registrar to Supervise Nominations.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>5.10.1</strong> The Registrar shall supervise the nominations of candidates for members of Council.</td>
<td>Deleted.</td>
<td></td>
</tr>
</tbody>
</table>
5.11 Notice of Election and Nominations.

5.11.1 No later than June 1 in the year in which the election is to be held, the Registrar shall notify each Member who is eligible to vote in an Electoral District in which an election is scheduled, of the date of the election. Such notification shall be by electronic mail and shall be addressed to each such Member at his or her electronic address that is on file with the College.

5.11.8 Notice of Election and Nominations Call for Applicants.

5.11.8.1 No later than June April, 1 in the year in which the election is to be held the Registrar shall notify each Member Registrant who is eligible to vote in an Electoral District in which an election is scheduled, of the date of the election and the number of available positions on the Board. Such notification shall be by electronic mail, shall include a link to the Director Profile and application form for election and shall be addressed to each such Member Registrant at his or her electronic address that is on file with the College. Such notice shall also be published on the website of the College.

<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>Nominations to be replaced with applications with reference to the specific competencies being sought.</td>
<td>Added to introduce the new competency-based election process.</td>
</tr>
</tbody>
</table>

5.9 Director Competencies.

5.9.1 The Board shall at all times comprise Elected Directors who collectively serve, or have experience working with, the following diverse patient populations:

(a) patients served by rural community pharmacies;
(b) patients served by urban community pharmacies;
(c) patients treated at teaching hospitals;
(d) patients treated at community hospitals;
(e) patients located in northern/remote areas;
(f) patients who identify as Indigenous;
(g) patients with mental health and addictions needs; and
(h) patients in long-term care.

5.9.2 The Board shall in addition at all times comprise Directors who collectively have the following knowledge, skills and experience:

(a) experience in and understanding of the principles of
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>protecting, and acting in the public interest;</td>
<td>(b) experience working with diverse populations, marginalized groups and people with disabilities;</td>
<td></td>
</tr>
<tr>
<td>(b) experience working with diverse populations, marginalized groups and people with disabilities;</td>
<td>(c) experience serving on boards in an oversight capacity;</td>
<td></td>
</tr>
<tr>
<td>(c) experience serving on boards in an oversight capacity;</td>
<td>(d) experience in managing risk, including reputational risk;</td>
<td></td>
</tr>
<tr>
<td>(d) experience in managing risk, including reputational risk;</td>
<td>(e) experience in senior leadership roles in business;</td>
<td></td>
</tr>
<tr>
<td>(e) experience in senior leadership roles in business;</td>
<td>(f) experience as a human resource professional including in occupational health and safety, organizational structures and human resources oversight and compensation, recruiting and succession planning;</td>
<td></td>
</tr>
<tr>
<td>(f) experience as a human resource professional including in occupational health and safety, organizational structures and human resources oversight and compensation, recruiting and succession planning;</td>
<td>(g) financial and/or accounting expertise, including experience preparing, auditing, analyzing or evaluating financial statements and an understanding of generally accepted accounting principles;</td>
<td></td>
</tr>
<tr>
<td>(g) financial and/or accounting expertise, including experience preparing, auditing, analyzing or evaluating financial statements and an understanding of generally accepted accounting principles;</td>
<td>(h) ability to navigate electronic systems to access Board and Committee materials;</td>
<td></td>
</tr>
<tr>
<td>(h) ability to navigate electronic systems to access Board and Committee materials;</td>
<td>(i) legal experience or familiarity with regulated professions, including overseeing regulations and setting standards for certification; and</td>
<td></td>
</tr>
<tr>
<td>(i) legal experience or familiarity with regulated professions, including overseeing regulations and setting standards for certification; and</td>
<td>(j) experience participating in, or leading, an organization in planning for its future, such as: conducting S.W.O.T. (strengths, weaknesses, opportunities, and threats) analysis, environmental scans, strategy design, planning, implementation and evaluation.</td>
<td></td>
</tr>
<tr>
<td>(j) experience participating in, or leading, an organization in planning for its future, such as: conducting S.W.O.T. (strengths, weaknesses, opportunities, and threats) analysis, environmental scans, strategy design, planning, implementation and evaluation.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**5.12 Nomination Procedure.**

5.12.1 A candidate for election as a member of Council shall be nominated by not fewer than three (3) Members who are eligible to vote in the Electoral District for which the candidate is nominated.

**5.12.2 Nomination Application Procedure.**

5.12.2.1 A candidate for election as a member of Council shall be nominated by not fewer than three (3) Members who are eligible to vote in the Electoral District for which the candidate is nominated.

With the shift to competency-based elections, the nomination process will be replaced with an application process.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.12.2 The nomination paper shall be accompanied by a form signed by the candidate in which the candidate affirms his or her commitment to the objects of the College and undertakes to comply with the College’s policies, the By-Laws, the Code of Ethics and the Code of Conduct.</td>
<td>5.12.2 The nomination paper shall be accompanied by a form signed by the candidate in which the candidate affirms his or her commitment to the objects of the College and undertakes to comply with the College’s policies, the By-Laws, the Code of Ethics and the Code of Conduct.</td>
<td>1.</td>
</tr>
<tr>
<td>5.12.3 The nomination shall be signed by the nominators and shall be accepted by the candidate.</td>
<td>5.12.3 The nomination shall be signed by the nominators and shall be accepted by the candidate.</td>
<td>2.</td>
</tr>
<tr>
<td>5.12.4 If it is not possible for the candidate to accept the nomination on the nominating paper which has been signed by the nominators, the candidate shall forward his or her acceptance to the Registrar.</td>
<td>5.12.4 If it is not possible for the candidate to accept the nomination on the nominating paper which has been signed by the nominators, the candidate shall forward his or her acceptance to the Registrar.</td>
<td>3.</td>
</tr>
<tr>
<td>5.12.5 All nominations shall be filed with the Registrar no later than 5:00 p.m. on the third Wednesday of June in the year in which the election is to be held.</td>
<td>5.12.5 All nominations shall be filed with the Registrar no later than 5:00 p.m. on the third Wednesday of June in the year in which the election is to be held.</td>
<td>4.</td>
</tr>
<tr>
<td>5.12.6 The Registrar shall, without undue delay after nominations have been closed, give notice to all those nominated of the names of the members nominated.</td>
<td>5.12.6 The Registrar shall, without undue delay after nominations have been closed, give notice to all those nominated of the names of the members nominated.</td>
<td>5.</td>
</tr>
<tr>
<td>5.12.7 A candidate may withdraw his or her candidacy by notice of withdrawal delivered to the Registrar no later than July 1 in the year in which the election is to be held.</td>
<td>5.10.1 A Registrant seeking to be a candidate for election as an Elected Director shall complete and return an application form no later than the deadline provided in the form. The application form shall be accompanied by three (3) reference letters in accordance with the instructions contained in the application form.</td>
<td>6.</td>
</tr>
<tr>
<td>5.10.2 The application form shall include a signed affirmation by the applicant of his or her commitment to participate in pre-orientation activities aimed at understanding the obligations of a Director.</td>
<td>5.10.2 The application form shall include a signed affirmation by the applicant of his or her commitment to participate in pre-orientation activities aimed at understanding the obligations of a Director.</td>
<td>7.</td>
</tr>
<tr>
<td>5.10.3 The Screening Committee shall review the applications against the eligibility requirements as set out in paragraph 5.7 and the Director Profile that the Governance Committee has announced for the election. Applicants who (a) meet the</td>
<td>5.10.3 The Screening Committee shall review the applications against the eligibility requirements as set out in paragraph 5.7 and the Director Profile that the Governance Committee has announced for the election. Applicants who (a) meet the</td>
<td>8.</td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>eligibility requirements in paragraph 5.7, and (b) serve or have experience with patient populations, and have knowledge, skill and experience, that are within the Director Profile, will be qualified as candidates for election.</td>
<td>5.10.4 If the Screening Committee requires additional information in order to assess whether an applicant meets the criteria in the Director Profile, the Screening Committee may require the applicant to participate in an interview in person or by electronic means.</td>
<td></td>
</tr>
<tr>
<td>An applicant may withdraw his or her candidacy application by notice of withdrawal delivered to the Registrar no later than July 1 in the year in which the election is to be held.</td>
<td>5.12.10.75 A candidate may withdraw his or her candidacy application by notice of withdrawal delivered to the Registrar no later than July 1 in the year in which the election is to be held.</td>
<td></td>
</tr>
<tr>
<td>All applicants who have not withdrawn their application will be notified whether they are eligible and have been qualified as candidates for election.</td>
<td>5.10.6 All applicants who have not withdrawn their application will be notified whether they are eligible and have been qualified as candidates for election.</td>
<td></td>
</tr>
<tr>
<td>In the event of a dispute about whether a Registrant is eligible or qualified as a candidate for election, the Governance Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. The Executive Committee shall rule and inform the candidate of its decision and reasons.</td>
<td>5.10.7 In the event of a dispute about whether a Registrant is eligible or qualified as a candidate for election, the Governance Committee shall conduct an investigation and report its findings and recommendations to the Executive Committee. The Executive Committee shall rule and inform the candidate of its decision and reasons.</td>
<td></td>
</tr>
<tr>
<td>A person who has a direct interest in the result of an election dispute shall not participate in the investigation or consideration of such dispute.</td>
<td>5.10.8 A person who has a direct interest in the result of an election dispute shall not participate in the investigation or consideration of such dispute.</td>
<td></td>
</tr>
</tbody>
</table>

5.13 Acclamation.

5.13.1 If, after the deadline referred to in subparagraph 5.12.5, the number of eligible candidates nominated for an Electoral District is equal to the number of members to be elected in that Electoral District, the Registrar shall declare the eligible candidate(s) to be elected by acclamation.

5.13.1 Acclamation.

5.12.11 If, after the deadline referred to in subparagraph 5.12.5, the number of eligible pharmacy technicians qualified as candidates nominated for an Electoral District election is equal to the number of members pharmacy technicians to be elected in that Electoral District election, the Registrar shall declare the

Amended to reflect that there will no longer be Electoral Districts, and that there could be elections in which there are different term lengths available.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.13.2 If, after the deadline referred to in subparagraph 5.12.5, the number of eligible candidates nominated for an Electoral District is less than the number of members to be elected in that Electoral District, the Registrar shall declare any eligible candidate(s) to be elected by acclamation and there shall be a supplementary nomination and election process held in accordance with paragraph 5.24 in order to fill any remaining vacancies.</td>
<td><strong>eligible</strong> those <strong>pharmacy technician</strong> candidate(s) to be elected by acclamation.</td>
<td><strong>5.11.2</strong> If, after the deadline referred to in subparagraph 5.10.5, the number of pharmacists qualified as candidates for election is equal to the number of pharmacists to be elected in that election, the Registrar shall declare those pharmacist candidate(s) to be elected by acclamation. <strong>5.13.2</strong> If, after the deadline referred to in subparagraph 5.12.5, the number of eligible pharmacy technicians qualified as candidates nominated for an Electoral District election is less than the number of members pharmacy technicians to be elected in that Electoral District election, the Registrar shall declare any eligible the qualified pharmacy technician candidate(s) to be elected by acclamation and there shall will be a supplementary nomination application, selection and election process held in accordance with paragraph 5.24 in order to fill any remaining vacancies.</td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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</tr>
<tr>
<td>5.14 Registrar’s Electoral Duties.</td>
<td>5.14 Registrar’s Electoral Duties.</td>
<td>Some instances of “may”, “will” and “shall” were amended for consistency. Amendments were also made to reflect that the College uses electronic voting so there are no physical ballots.</td>
</tr>
<tr>
<td>5.14.1 The Registrar shall supervise and administer the election of candidates and for the purpose of carrying out that duty, the Registrar may:</td>
<td>5.14.1 The Registrar shall supervise and administer the election of candidates and for the purpose of carrying out that duty, the Registrar may:</td>
<td></td>
</tr>
<tr>
<td>(a) appoint returning officers or scrutineers;</td>
<td>(a) appoint returning officers or scrutineers;</td>
<td></td>
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<tr>
<td>(b) establish a deadline for the receipt of ballots;</td>
<td>(b) establish a deadline for the receipt of ballots;</td>
<td></td>
</tr>
<tr>
<td>(c) establish reasonable safeguards to ensure that the person voting is entitled to vote;</td>
<td>(c) establish reasonable safeguards to ensure that the person voting is entitled to vote;</td>
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<tr>
<td>(d) ensure electronic communication and voting processes are reliable and secure;</td>
<td>(d) ensure electronic communication and voting processes are reliable and secure;</td>
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<tr>
<td>(e) establish procedures for the counting and verification of ballots;</td>
<td>(e) establish procedures for the counting and verification of ballots; and</td>
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<tr>
<td>(f) provide for the notification of all candidates and Members of the results of the election; and</td>
<td>(f) provide for the notification of all candidates and Members of the results of the election; and,</td>
<td></td>
</tr>
<tr>
<td>(g) provide for the destruction of ballots or the destruction of the record of ballots following an election.</td>
<td>(g) provide for the destruction of ballots or the destruction of the record of ballots following an election.</td>
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</tr>
<tr>
<td>5.14.2 No later than twenty-one (21) days before the date of an election, the Registrar shall provide to every Member eligible to vote in an Electoral District in which an election is to take place a list of the candidates in the Electoral District, secure access to a ballot, and an explanation of the voting procedures as set out in this By-Law.</td>
<td>5.14.2 No later than twenty-one (21) days before the date of an election, the Registrar shall provide to every Member eligible to vote in an Electoral District in which an election is to take place a list of the candidates in the Electoral District, secure access to a ballot, and an explanation of the voting procedures as set out in this By-Law.</td>
<td></td>
</tr>
<tr>
<td>5.16 Ballots.</td>
<td>5.16 Ballots.</td>
<td>Amended to reflect that there will no longer be Electoral Districts.</td>
</tr>
<tr>
<td>5.16.1 The names of the candidates properly nominated in the Electoral District in which an election is to take place, and who have not withdrawn their candidacy by the deadline for so doing, shall appear on the ballot.</td>
<td>5.16.1 The names of the candidates properly nominated in the Electoral District in which an election is to take place, and who have not withdrawn their candidacy by the deadline for so doing, shall appear on the ballot.</td>
<td></td>
</tr>
<tr>
<td>5.16.2 The Registrar shall prepare a list of the voting Members for each Electoral District in which the number of candidates is</td>
<td>5.16.2 The Registrar shall prepare a list of the voting Members for each Electoral District in which the number of</td>
<td></td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>greater than the number of Members to be elected.</td>
<td>candidates is greater than the number of Members to be elected Registrants.</td>
<td>Amended to reflect that the College uses electronic voting.</td>
</tr>
<tr>
<td>5.16.3 A Member who is eligible to vote and who does not receive, or loses, his or her secure access to a ballot may apply to the Registrar for replacement secure access to a ballot and the Registrar shall provide the Member with a replacement.</td>
<td>5.16.3 A Member Registrant who is eligible to vote and who does not receive, or loses, his or her secure access to a ballot may apply to the Registrar for replacement secure access to a ballot and the Registrar shall provide the Member Registrant with a replacement.</td>
<td></td>
</tr>
<tr>
<td>5.17 Voting.</td>
<td>5.17 Voting.</td>
<td></td>
</tr>
<tr>
<td>5.17.1 A ballot shall clearly indicate the candidate of the voting Member’s choice and shall be submitted so that it is received not later than 5:00 p.m. on the day of the election.</td>
<td>5.17.1 A ballot shall clearly indicate the candidate of the voting Member Registrant’s choice and shall be submitted so that it is received not later than 5:00 p.m. on the day of the election.</td>
<td></td>
</tr>
<tr>
<td>5.17.2 For each ballot cast, the scrutineers shall ascertain that the voting Member is eligible to vote according to the list prepared by the Registrar.</td>
<td>5.17.2 For each ballot cast, the scrutineers shall ascertain that the voting Member Registrant is eligible to vote according to the list prepared by the Registrar.</td>
<td></td>
</tr>
<tr>
<td>5.17.3 The votes shall be counted or verified by the scrutineers at the head office of the College on the day following the election.</td>
<td>5.17.3 The votes shall be counted or verified by the scrutineers at the head office of the College on the day following the election.</td>
<td></td>
</tr>
<tr>
<td>5.17.4 The verification of the votes shall be conducted in such a manner that no person shall know for whom any voting Member has voted.</td>
<td>5.17.4 The verification of the votes by the scrutineers shall be conducted in such a manner that no person shall know for whom any voting Member Registrant has voted.</td>
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</tr>
<tr>
<td>5.17.5 The only persons permitted to be present during the verification shall be the scrutineers, the Registrar, such staff of the College as the Registrar authorizes, and the candidates. A candidate may appoint one (1) person to represent the candidate at the verification.</td>
<td>5.17.5 The only persons permitted to be present during the verification shall be the scrutineers, the Registrar, such staff of the College as the Registrar authorizes, and the candidates. A candidate may appoint one (1) person to represent the candidate at the verification.</td>
<td></td>
</tr>
<tr>
<td>5.17.6 If the scrutineers cannot agree on any matter relating to the verification, the matter shall be decided by the Registrar.</td>
<td>5.17.6 If the scrutineers cannot agree on any matter relating to the verification, the matter shall be decided by the Registrar.</td>
<td></td>
</tr>
<tr>
<td>5.17.7 Upon completing the verification, the scrutineers shall prepare for each Electoral District a return, in duplicate, setting out the number of votes cast for each candidate and the number</td>
<td>5.17.7 Upon completing the verification, the scrutineers</td>
<td></td>
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</tbody>
</table>

Amended to reflect that the College uses electronic voting.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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</thead>
<tbody>
<tr>
<td>of spoiled ballots. The returns shall be filed with the Registrar for each Electoral District.</td>
<td>shall prepare for each Electoral District a return, in duplicate, setting out the number of votes cast for each candidate and the number of spoiled ballots. The returns shall be filed a return and file the return with the Registrar for each Electoral District.</td>
<td></td>
</tr>
<tr>
<td>5.17.8 In an election where only one candidate is to be elected, the successful candidate is the eligible candidate with the highest number of votes.</td>
<td>5.17.8 In an election where only one candidate is to be elected, the successful candidate is the eligible candidate with the highest number of votes.</td>
<td></td>
</tr>
<tr>
<td>5.17.9 In an election where more than one candidate is to be elected, the successful candidates are those eligible candidates with the highest and next highest number of votes and so on until the number of successful candidates equals the number of persons to be elected in that election.</td>
<td>5.17.9 The successful pharmacist candidates are in an election will be those eligible candidates with the highest and next highest number of votes and so on until the number of successful pharmacist candidates equals the number of persons pharmacists to be elected in that election.</td>
<td></td>
</tr>
<tr>
<td>5.17.10 Upon receiving the returns from the scrutineers, the Registrar shall declare the candidate(s) who received the largest number of votes in each Electoral District in accordance with subparagraphs 5.17.8 and 5.17.9 to be elected as members of the Council, and shall notify each candidate of the election results.</td>
<td>5.17.10 The successful pharmacy technician candidate in an election where one pharmacy technician is to be elected will be the one with the highest number of votes. If more than one (1) pharmacy technician is to be elected in an election, the successful pharmacy technician candidates will be those with the highest and next highest number of votes until all positions are filled.</td>
<td></td>
</tr>
<tr>
<td>5.17.11 The Registrar shall retain the ballots or the records of the ballots for thirty (30) days from the date the votes were counted and shall then destroy the ballots or the records of the ballots unless a candidate requests a recount.</td>
<td>5.17.11 The Registrar shall retain the ballots or the records of the ballots for thirty (30) days from the date the votes were counted and shall then destroy the ballots or the records of the ballots unless a candidate requests a recount.</td>
<td></td>
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<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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</tr>
<tr>
<td><strong>5.18 Number of Votes to be Cast.</strong></td>
<td><strong>5.18 Number of Votes to be Cast.</strong></td>
<td>Amended to reflect that there will no longer be Electoral Districts.</td>
</tr>
<tr>
<td>5.18.1 In any election in an Electoral District in which a Member is eligible to vote, a Member may cast as many votes as there are members of Council to be elected in that Electoral District in that election.</td>
<td>5.18.1 In any election in an Electoral District in which a Member is eligible to vote, a Member may cast as many votes as there are members of Council to be elected in that Electoral District in that election.</td>
<td></td>
</tr>
<tr>
<td>5.18.2 A Member shall not cast more than one vote for any one candidate.</td>
<td>5.18.2 A Member shall not cast more than one vote for any one candidate.</td>
<td></td>
</tr>
<tr>
<td><strong>5.20 Recounts.</strong></td>
<td><strong>5.20 Recounts.</strong></td>
<td>Amended to reflect that the College uses electronic voting.</td>
</tr>
<tr>
<td>5.20.1 A candidate may make a written request to the Registrar for a recount, no more than thirty (30) days after the date of an election, upon paying the election recount fee to the Registrar.</td>
<td><strong>Deleted.</strong></td>
<td></td>
</tr>
<tr>
<td>5.20.2 If a recount is requested, the Registrar shall appoint a time and place for the recount. The Registrar shall hold the recount no more than fifteen (15) days after receiving the request.</td>
<td><strong>Deleted.</strong></td>
<td></td>
</tr>
<tr>
<td>5.20.3 The recount shall be conducted in the same manner as the original counting and verification of votes, except that the votes shall be counted and verified by two (2) persons appointed by the President, and who were not scrutineers in the election.</td>
<td><strong>Deleted.</strong></td>
<td></td>
</tr>
<tr>
<td>5.20.4 The candidate may be present for the recount.</td>
<td><strong>Deleted.</strong></td>
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<tr>
<td>5.20.5 The election recount fee shall be refunded to the</td>
<td><strong>Deleted.</strong></td>
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</tbody>
</table>
## Existing Clause

Candidate if the outcome of the election is changed in his or her favour as a result of the recount.

### 5.22 Conduct of Council Members.

5.22.1 An elected member of Council is automatically disqualified from sitting on Council if the elected member of Council:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(b) is found to be an incapacitated Member by a panel of the Fitness to Practise Committee.

5.22.2 The grounds for taking formal governance action against a member of Council are where the Council member:

(a) fails, without cause, to attend three (3) consecutive meetings of Council;

(b) fails, without cause, to attend three (3) consecutive meetings of a Committee of which he or she is a member, or fails without cause to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;

(c) in the case of an elected member of Council, ceases to practise or reside in the Electoral District to which the member of Council was elected;

(d) is in default of payment of any fees prescribed in the By-Laws;

(e) is or becomes an employee, officer or director of a Professional Advocacy Association; (however, for greater certainty, a member of Council shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Council as a representative of the College);

### Proposed New Clause

5.2219 Conduct of Council Members Directors.

5.2219.1 An elected member of Council Elected Director is automatically disqualified from sitting on Council if the elected member of Council Elected Director:

(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or

(b) is found to be an incapacitated Member Register by a panel of the Fitness to Practise Committee.

5.2219.2 The grounds for taking formal governance action may be taken against a member of Council in accordance with subparagraphs 5.19.3, where the Council member Director:

(a) fails, or does not make himself or herself available, without cause, to attend three (3) consecutive meetings of Council the Board;

(b) fails, or does not make himself or herself available, without cause, to attend three (3) consecutive meetings of a Committee of which he or she is a member, or fails without cause to attend a scheduled hearing or review conducted by a panel to which he or she was appointed;

(c) in the case of an elected member of Council, ceases to practise or reside in the Electoral District to which the member of Council was elected;

(d) is in default of payment of any fees prescribed in the By-Laws;

(e) is or becomes an employee, officer or director of a Professional Advocacy Association; (however, for greater certainty, a member of Council shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Council as a representative of the College);

### Rationale

Amended to reflect clear expectations of both individuals and committees regarding situations of disqualifications and concern/complaint situations.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>(f) in the case of a dean of a faculty of pharmacy who is a Member,</td>
<td>By-Laws;</td>
<td>Revised to refer to new governance oversight committee structure.</td>
</tr>
<tr>
<td>(i) is found to have committed an act of professional misconduct or is found</td>
<td>(e) is or becomes an employee, officer or director of a Professional Advocacy Association; (however, for greater certainty, a member of Council Director shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Council Board as a representative of the College);</td>
<td></td>
</tr>
<tr>
<td>to be incompetent by a panel of the Discipline Committee; or</td>
<td>(f) in the case of a dean of a faculty of pharmacy who is a Member Registrant, (i) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or</td>
<td></td>
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<tr>
<td>(ii) is found to be an incapacitated Member by a panel of the Fitness to</td>
<td>(ii) is found to be an incapacitated Member Registrant by a panel of the Fitness to Practise Committee;</td>
<td></td>
</tr>
<tr>
<td>Practise Committee;</td>
<td>(g) initiates litigation against the College, the Council, a committee of the Council or a panel of a committee of the Council or any of its directors, officers, employees or agents; or</td>
<td></td>
</tr>
<tr>
<td>(h) engages in conduct or an omission that is reasonably regarded by Council</td>
<td>(h) engages in conduct or an omission that is reasonably regarded by Council member the Board as being disgraceful, dishonourable, unprofessional or unbecoming a Council member.</td>
<td></td>
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<tr>
<td>members as being disgraceful, dishonourable, unprofessional or unbecoming a</td>
<td>(g) initiates litigation against the College, the Council, a committee of the Council or a panel of a committee of the Council or any of its directors, the College’s officers, employees or agents; or</td>
<td></td>
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<tr>
<td>Council member.</td>
<td>(h) engages in conduct or an omission that is reasonably regarded by Council member the Board as being disgraceful, dishonourable, unprofessional or unbecoming a Council member.</td>
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<tr>
<td>5.22.3 The following procedure shall be followed when taking formal</td>
<td>(b) the Registrar shall disclose the complaint to the Council member and shall report the complaint to the President or the Vice-President who shall bring the complaint to the Executive Committee. If the Executive Committee is unable to address the complaint, it may appoint another Committee to fulfill its duties under subparagraph 5.22.3;</td>
<td></td>
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<tr>
<td>governance action:</td>
<td>(c) if the Executive or other Committee, after any inquiry it deems appropriate, concludes that the complaint warrants formal investigation, it shall appoint an independent third party, such as a retired Judge or a senior lawyer who does not otherwise act for the College, to conduct the investigation. In addition to any other investigative steps, the independent third party shall notify the</td>
<td></td>
</tr>
<tr>
<td>(a) a written complaint shall be filed with the Registrar. A complaint can be</td>
<td>(a) a written complaint shall be filed with the Registrar. A complaint can be made by a member of the public, a Council member or Committee member or by the Registrar; report it to any of the Past-Chair, the Chair, the Registrar or the Vice-Chair who shall bring the concern or complaint to the Governance Committee.</td>
<td></td>
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</tbody>
</table>
Council member of the complaint and of his or her right to retain a lawyer and shall provide an opportunity for the Council member to respond to the complaint;

(d) as soon as feasible, the independent third party shall report the results of the investigation in writing to the Executive or other Committee and to the Council member. The report shall include the independent third party’s findings of fact and his or her opinion as to whether grounds for taking formal governance action against the Council member set out in subparagraph 5.22.2 have been met and, if so, the apparent significance of the breach;

(e) if the Executive or other Committee determines that formal governance action is warranted it shall be placed on the agenda of the next regular Council meeting unless a special meeting is called before then to address the matter. Participation in the investigation and referral process does not render the members of the Executive or other Committee ineligible to participate and vote on the matter at Council;

(f) before taking formal governance action, Council shall afford the Council member an opportunity to address the Council for a period of time permitted by the Council of no less than one hour. However, the Council member shall not take part in the deliberation or vote;

(g) council shall determine whether grounds for taking formal governance action against the Council member set out in subparagraph 5.22.2 have been met and, if so, whether the breach warrants the imposition of a governance sanction;

(h) the determination that grounds for taking formal governance action against the Council member set out in subparagraph 5.22.2 have been met and the determination to impose a formal governance sanction must be approved by a vote of at least two-thirds (2/3) of the Council members eligible...
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>to vote. The vote shall be a recorded vote; (i) the formal governance sanction imposed by the Council may include one or more of the following: (i) censure of the Council member verbally or in writing; (ii) disqualification of an elected member of Council from the Council; (iii) sending a copy of the independent third party’s report and the Council’s determination to the Ministry of Health and Long Term Care respecting a person appointed by the Lieutenant Governor in Council; or (iv) sending a copy of the independent third party’s report and the Council’s determination to the applicable Ontario university respecting a Council member who is a dean of a faculty of pharmacy; and (j) where Council determines that grounds for taking formal governance action against the Council member set out in subparagraph 5.22.2 have not been met and that formal governance action is not warranted, Council may direct the College to reimburse the Council member for all or part of the Council member’s legal expenses. 5.22.4 An elected member of Council who is disqualified from sitting on the Council is thereby removed from Council and ceases to be a member of Council.</td>
<td>Council Board meeting unless a special meeting is called before then to address the matter. Participation in the investigation and referral process does not render the members of the Executive Governance Committee or other Committee ineligible to participate and vote on the matter at Council the Board; (f) before taking the Board decides whether to take formal governance action, Council the Director shall afford the Council member an opportunity to address the Council Board for a period of time permitted by the Council of no less than one (1) hour. However, the Council member The Director shall not take part in the deliberation or vote; (g) council the Board shall determine whether grounds for taking formal governance action against the Council member set out in subparagraph 5.22.5.19.2 have been met and, if so, whether the breach warrants the imposition of a governance sanction; (h) the determination that grounds for taking formal governance action against the Council member set out in subparagraph 5.22.5.19.2 have been met and the determination to impose a formal governance sanction pursuant to subparagraph 5.19.4 must be approved by a vote of at least two-thirds (2/3) of the Council member Directors eligible to vote. The vote shall be a recorded vote; and (i) where Council the Board determines that grounds for taking formal governance action against the Council member Director set out in subparagraph 5.22.5.19.2 have not been met and that formal governance action is not warranted, Council the Board may direct the College to reimburse the Council member Director for all or part of the Council member’s legal expenses.</td>
<td></td>
</tr>
</tbody>
</table>

<p>| Council - December 9, 2019 Appendix 11.1 - Clause by Clause Comparison | 24 |</p>
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tr>
<td>more of the following:</td>
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<tr>
<td>(i) censure of the Council member Director verbally or in writing;</td>
<td></td>
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<tr>
<td>(ii) disqualification of an elected member of Council Elected Director from the Council Board;</td>
<td></td>
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<tr>
<td>(iii) where the Director is a Public Director, sending a copy of the independent third party’s report and the Council Board’s determination to the Ministry of Health and Long Term Care respecting a person appointed by the Lieutenant Governor in Council; or</td>
<td></td>
<td></td>
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<tr>
<td>(iv) where the Director is a dean of a faculty of pharmacy, sending a copy of the independent third party’s report and the Council Board’s determination to the applicable Ontario university respecting a Council member who is a dean of a faculty of pharmacy; and</td>
<td></td>
<td></td>
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<tr>
<td>5.2219.45 An elected member of Council Elected Director who is disqualified from sitting on the Council Board is thereby removed from Council and ceases to be a member of Council.</td>
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</table>

5.23 Filling of Vacancies.

5.23.1 Upon the proclamation of section 30 of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this paragraph 5.23 shall be subject to any provisions of the RHPA Regulations respecting the filling of vacancies arising on Council.

5.23.2 If the seat of an elected member of Council becomes vacant not more than twelve (12) months before the expiry of the term of office of that elected member of Council, the Council may:

5.2220 Filling of Vacancies.

5.2220.1 Upon the proclamation of section 30 of Schedule 5 (Regulated Health Professions Act, 1991) to the Protecting Patients Act by the Lieutenant Governor, the provisions of this paragraph 5.22 shall 5.20 will be subject to any provisions of the RHPA Regulations respecting the filling of vacancies arising on Council Board.

5.2220.2 If the seat position of an elected member of Council Elected Director becomes vacant not more than twelve (12) months before the expiry of the term of office of that elected member of Council Elected Director, the Council Board may:

With the proposed reduction in Board size (to nine Elected Directors), a vacant position can only be left vacant if it will not bring the Board to less than nine Elected Directors, otherwise the Board will not be properly constituted.
<table>
<thead>
<tr>
<th>Existing Clause</th>
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<th>Rationale</th>
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<tbody>
<tr>
<td>(a) leave the seat vacant; or</td>
<td>(a) leave the seat vacant, or position vacant, if the number of Elected Director remaining on the Board is nine (9) or more;</td>
<td></td>
</tr>
<tr>
<td>(b) direct the Registrar to hold a by-election in accordance with this By-Law for the Electoral District in which the elected member of Council sat.</td>
<td>(b) declare the eligible Registrant with the next highest number of votes in the election immediately prior to the vacancy who was not elected to be acclaimed to the vacant position; or</td>
<td></td>
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<tr>
<td>5.23.3 If the seat of an elected member of Council becomes vacant more than twelve (12) months before the expiry of the term of office of that member of Council, the Council shall direct the Registrar to hold a by-election for the Electoral District in which the elected member of Council sat.</td>
<td>(bc) direct the Registrar to hold a by-election in accordance with this By-Law for the Electoral District in which the elected member of Council sat, an Elected Director who meets the criteria of the Director Profile for the election immediately prior to the vacancy, except if the by-election is held at the same time as an annual election, in which case the Director Profile developed for that annual election will apply.</td>
<td></td>
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<tr>
<td>5.23.4 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of by-elections, with all necessary modifications.</td>
<td>5.230.3 If the seat of an Elected Director becomes vacant more than twelve (12) months before the expiry of the term of office of that member of Council, the Council shall direct the Registrar to hold a by-election for the Electoral District in which the elected member of Council sat:</td>
<td></td>
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<tr>
<td>5.23.5 The term of office of a member of Council elected in a by-election under subparagraph 5.23.1 shall commence upon acclamation or election and shall continue until the term of office of the former member of Council would have expired.</td>
<td>(a) declare the eligible Registrant with the next highest number of votes in the election immediately prior to the vacancy who was not elected to be acclaimed to the vacant position; or</td>
<td></td>
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<tr>
<td>5.23.2 or 5.23.3 shall commence upon acclamation or election and shall continue until the term of office of the former member of Council would have expired.</td>
<td>(b) direct the Registrar to hold a by-election in accordance with this By-Law for an Elected Director who meets the criteria of the Director Profile for the election immediately prior to the vacancy, except if the by-election is held at the same time as an annual election, in which case the Director Profile developed for that annual election will apply.</td>
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<tr>
<td>5.230.4 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of by-elections,</td>
<td></td>
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</tbody>
</table>
5.230.5 The term of office of a member of Council an Elected Director acclaimed or elected in a by-election under subparagraph 5.23.2 or 5.23.3 5.20.2 or 5.20.3 will commence upon acclamation or election and shall continue until the term of office of the former member of Council Elected Director would have expired.

5.24 Supplementary Election Procedures.
5.24.1 If no nominations are received in an Electoral District by the deadline referred to in subparagraph 5.12.5, or if the number of eligible candidates nominated for an Electoral District by the deadline is less than the number of members to be elected in that Electoral District, there shall be a supplementary election.
5.24.2 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of supplementary elections, with all necessary modifications.
5.24.3 The term of office of a member of Council elected in a supplementary election under paragraph 5.24 shall commence upon acclamation or election and shall continue until the end of the term of office prescribed in paragraph 5.7 for a member elected in the Electoral District in which that member was elected.

5.241 Supplementary Election Procedures.
5.241.1 If no nominations are received in an Electoral District the Screening Committee fails to identify a sufficient number of applicants who are qualified as candidates for election by the deadline referred to in subparagraph 5.12.5 5.10.5, or if the number of eligible candidates nominated for an Electoral District by the deadline is less than the number of members Elected Directors to be elected in that Electoral District, there shall be a supplementary election.
5.241.2 The provisions of this By-Law that apply to the conduct of elections shall apply to the conduct of supplementary elections, with all necessary modifications.
5.241.3 The term of office of a member of Council an Elected Director elected in a supplementary election under paragraph 5.24 shall commence upon acclamation or election and shall continue until the end of the term of office prescribed in paragraph 5.7 for a member elected in the Electoral District in which that member was elected that would have been held had a Director been elected to that position on the Board in the applicable August election.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>6.1.8 Unless specifically provided for otherwise in the By-Law, any question</td>
<td>6.1.8 Unless specifically provided for otherwise in the By-Law, any question arising</td>
<td>Amended to provide greater flexibility and because several of</td>
</tr>
<tr>
<td>arising at any meeting of the Council shall be determined by a majority of</td>
<td>at any meeting of the Council Board shall be determined by a majority of votes of</td>
<td>the enumerated items were not taking place at meetings.</td>
</tr>
<tr>
<td>votes of members of Council present at the meeting and eligible to vote.</td>
<td>members of Council Directors present at the meeting and eligible to vote. In the</td>
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<td>event of a tie vote, the Chair shall break the tie with an additional vote.</td>
<td></td>
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<tr>
<td>6.1.9 At the regular meetings of members of Council, the business shall include:</td>
<td>6.1.9 At the regular meetings of members of Council the Board, the business shall</td>
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</tr>
<tr>
<td>(a) noting the names of the Council members present and absent;</td>
<td>include: such matters as are set out in an agenda to be approved by the Board;</td>
<td></td>
</tr>
<tr>
<td>(b) approving the agenda;</td>
<td>(a) noting the names of the Council members present and absent;</td>
<td></td>
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<tr>
<td>(c) notice of motions intended to be introduced;</td>
<td>(b) approving the agenda;</td>
<td></td>
</tr>
<tr>
<td>(d) motions, notice of which has been previously given;</td>
<td>(c) notice of motions intended to be introduced;</td>
<td></td>
</tr>
<tr>
<td>(e) inquiries;</td>
<td>(d) motions, notice of which has been previously given;</td>
<td></td>
</tr>
<tr>
<td>(f) reports of Committees and consideration thereof;</td>
<td>(e) inquiries;</td>
<td></td>
</tr>
<tr>
<td>(g) unfinished business from previous meetings;</td>
<td>(f) reports of Committees and consideration thereof;</td>
<td></td>
</tr>
<tr>
<td>(h) items for the information of Council members;</td>
<td>(g) unfinished business from previous meetings;</td>
<td></td>
</tr>
<tr>
<td>(i) any referral for formal governance action made under subparagraph 5.22.3;</td>
<td>(h) items for the information of Council members;</td>
<td></td>
</tr>
<tr>
<td>(j) other matters; and</td>
<td>(i) any referral for formal governance action made under subparagraph 5.22.3;</td>
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</tr>
<tr>
<td>(k) adjournment.</td>
<td>(j) other matters; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(k) adjournment.</td>
<td></td>
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<tr>
<td>6.1.10 An item of business may be excluded only with the consent of two-thirds</td>
<td>Deleted.</td>
<td>No longer needed with the amendment proposed for subparagraph 6.1.9.</td>
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<tr>
<td>of the members of Council present at a meeting and eligible to vote.</td>
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<tr>
<td>6.1.11 A Council member may place any item that can properly be discussed</td>
<td>A Council member may place any item that can properly be discussed by Council the</td>
<td></td>
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<tr>
<td>by Council on the Council agenda by making a notice of motion. Notices of all</td>
<td>Board on the Council Board agenda by making a notice of motion. Notices of</td>
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<tr>
<td>motions intended to be</td>
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<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tr>
<td>introduced shall be given in writing at a meeting of the Council on a day previous to the discussion or vote thereon unless this requirement is dispensed with by a vote of at least two-thirds (2/3rds) of all the members of Council present at the meeting and eligible to vote.</td>
<td>all motions intended to be introduced shall be given in writing, seconded, and given to the Chair before being considered at a meeting of the Council Board on a day previous to the discussion or vote unless this requirement is dispensed with by a vote of at least two-thirds (2/3rds) of all the members of Council Directors present at the meeting and eligible to vote.</td>
<td></td>
</tr>
<tr>
<td><strong>6.2 Meetings Held By Technological Means.</strong></td>
<td><strong>6.2 Meetings Held By Technological Means.</strong></td>
<td></td>
</tr>
<tr>
<td>6.2.1 If two-thirds (2/3rds) of all members of Council, or of a Committee (as the case requires) who are eligible to vote consent thereto generally or in respect of a particular meeting, and each has adequate access, members of Council or of a Committee may participate in a meeting of, respectively, Council or of a Committee, by means of such conference telephone or other communications facilities as permit all persons participating in the meeting to hear each other, and a member of Council or of a Committee participating in such a meeting by such means is deemed to be present at the meeting.</td>
<td>6.2.1 If two-thirds (2/3rds) of all Directors, or of members of Council, or of a Committee (as the case requires), who are eligible to vote consent thereto generally or in respect of a particular meeting, and each has adequate access, Directors or members of Council or of a Committee may participate in a meeting of, respectively, Council Board or of a Committee, by means of such conference telephone or other communications facilities as permit all persons participating in the meeting to hear each other, and a Director or member of Council or of a Committee participating in such a meeting by such means is deemed to be present at the meeting.</td>
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<tr>
<td>6.2.2 At the outset of each meeting referred to in paragraph 6.2.1, the Chair shall call roll to establish quorum and whenever votes are required. If the Chair is not satisfied that the meeting may proceed with adequate security and confidentiality, he or she shall adjourn the meeting to a predetermined date, time and place, unless a majority of the Council or Committee members (as the case may be) present at such meeting and eligible to vote otherwise require.</td>
<td>6.2.2 At the outset of each meeting referred to in paragraph 6.2.1, the Chair shall call roll to establish quorum and whenever votes are required. If the Chair is not satisfied that the meeting may proceed with adequate security and confidentiality, he or she shall adjourn the meeting to a predetermined date, time and place, unless a majority of the Council or Committee members (as the case may be) present at such meeting and eligible to vote otherwise require.</td>
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**ARTICLE 7 - REMUNERATION AND EXPENSES**

| 7.1 Remuneration and Expenses. | 7.1 Remuneration and Expenses. | Remuneration and expenses will now be contained outside of the By-Law by resolution of the Board. Current remuneration will remain in place by resolution of Council, upon the new by-law coming into effect. |
| 7.1.1 When they are on official College business, members of Council and Committees, working groups and task forces, other than persons appointed by the Lieutenant Governor in Council, | 7.1.1 When they are on official College business, members of Council and Committees, Directors and Committee members, and participants in working groups and task forces, other than persons appointed by the Lieutenant Governor in Council, | |

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<th>Proposed New Clause</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>shall be paid the following:</td>
<td>shall be paid the following: Public Directors, will be paid and/or reimbursed for expenses in accordance with a policy made by a resolution of the Board.</td>
<td>A proposed new remuneration and expense framework will be considered by Council in March with the resolution to be passed at the June meeting to become effective the start of the 2020/2021 Council year.</td>
</tr>
<tr>
<td>(a) a travel allowance, which shall consist of a rate for distance traveled of 45 cents per kilometre; or air fare, bus or rail fare, plus transportation to and from air, bus or train terminals;</td>
<td>(a) a travel allowance, which shall consist of a rate for distance traveled of 45 cents per kilometre; or air fare, bus or rail fare, plus transportation to and from air, bus or train terminals;</td>
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<tr>
<td>(b) an expense allowance of $300.00 for each day when out of the community in which the Council member resides;</td>
<td>(b) an expense allowance of $300.00 for each day when out of the community in which the Council member resides;</td>
<td></td>
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<tr>
<td>(c) an expense allowance of $210.00 in lieu of the daily allowance described in subparagraph 7.1.1(b), whenever arrival is necessary the night prior to a scheduled meeting;</td>
<td>(c) an expense allowance of $210.00 in lieu of the daily allowance described in subparagraph 7.1.1(b), whenever arrival is necessary the night prior to a scheduled meeting;</td>
<td></td>
</tr>
<tr>
<td>(d) a daily expense allowance of $165.00 when on College business in the community in which the Council member resides, which amounts include travel allowance.</td>
<td>(d) a daily expense allowance of $165.00 when on College business in the community in which the Council member resides, which amounts include travel allowance.</td>
<td></td>
</tr>
<tr>
<td>7.1.2 If the Council appoints a Member, other than a Council or Committee member, to represent the College at a meeting or conference, the Member shall be reimbursed for expenses incurred at the rate set out in subparagraph 7.1.1, plus registration fees, if applicable. The Member shall not accept reimbursement for expenses from any other body.</td>
<td>7.1.2 If the Council appoints a Member, other than a Council or Committee member, to represent the College at a meeting or conference, the Member shall be reimbursed for expenses incurred at the rate set out in subparagraph 7.1.1, plus registration fees, if applicable. The Member shall not accept reimbursement for expenses from any other body.</td>
<td></td>
</tr>
<tr>
<td>7.1.3 An amount in excess of the amounts authorized under subparagraph 7.1.1 may be paid to a Council member or Committee member provided the amount was specifically included in the College budget for the year in which the expenses are incurred, or with the express, prior authorization of the Executive Committee.</td>
<td>7.1.3 An amount in excess of the amounts authorized under subparagraph 7.1.1 may be paid to a Council member or Committee member provided the amount was specifically included in the College budget for the year in which the expenses are incurred, or with the express, prior authorization of the Executive Committee.</td>
<td></td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td><strong>8.3 Standing Committees.</strong> In addition to the Statutory Committees, the College shall establish the following standing Committees, the composition and duties of which are set out in this By-Law: 8.3.1 Finance and Audit Committee; 8.3.2 Elections Committee; and 8.3.3 Drug Preparation Premises Committee.</td>
<td><strong>8.3 Standing Committees.</strong> In addition to the Statutory Committees, the College shall establish the following standing Committees, the composition and duties of which are set out in this By-Law: 8.3.1 Finance and Audit Committee; 8.3.2 Screen Committee; 8.3.3 8.3.2 Elections Governance Committee; and 8.3.3 Drug Preparation Premises Committee.</td>
<td>Given the separation of Board and Committees a reporting mechanism will be required to ensure understanding of Board philosophy.</td>
</tr>
<tr>
<td><strong>8.5 Reporting of Committees.</strong> All Committees, with the exception of the Discipline Committee and the Fitness to Practise Committee, shall report to the Council through the Executive Committee.</td>
<td><strong>8.5 Reporting of Committees.</strong> All Committees, with the exception of the Discipline Committee and the Fitness to Practise Committee, shall report to the Council through the Executive Committee.</td>
<td></td>
</tr>
<tr>
<td><strong>8.6 Non-Council Committee Members.</strong> 8.6.1 This paragraph 8.6 applies with respect to the appointment of Members who are not members of Council to a Committee. 8.6.2 Subject to subparagraph 8.1.3, a Member is eligible for appointment to a Committee if, on the date of the appointment: (a) the Member holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician; (b) the Member either practises or resides in Ontario; (c) the Member is not in default of payment of any fees prescribed in the By-Laws; (d) the Member has not been found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee; or</td>
<td>See subparagraph 11.1.2. Portions of subparagraph 8.6.2 in green are contained in subparagraph 11.1.2 in the amended By-Law. Subparagraph 11.1.2 contains additional new provisions, shown in blue in that section.</td>
<td>Non-Council Committee Members have been renamed “Profession Committee Members”. Appointment is now dealt with in subparagraph 11.1. “Members” are referred to as “Registrants” in the amended By-Law.</td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>(e) the Member is not the subject of any disciplinary or incapacity proceeding;</td>
<td>prescribed in the By Laws;</td>
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<tr>
<td>(f) the Member’s Certificate of Registration has not been revoked or suspended in</td>
<td>(d) the Member has not been found to have committed an act of professional misconduct</td>
<td></td>
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<tr>
<td>the six (6) years preceding the date of the appointment;</td>
<td>or is found to be incompetent by a panel of the Discipline Committee; or</td>
<td></td>
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<tr>
<td>(g) the Member’s Certificate of Registration is not subject to a term, condition</td>
<td>(e) the Member is not the subject of any disciplinary or incapacity proceeding;</td>
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<tr>
<td>or limitation other than one prescribed by regulation;</td>
<td>(f) the Member’s Certificate of Registration has not been revoked or suspended in</td>
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</tr>
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<td>(h) the Member has not been disqualified from serving on Council or a Committee</td>
<td>the six (6) years preceding the date of the appointment;</td>
<td></td>
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<tr>
<td>within the six (6) years immediately preceding the appointment;</td>
<td>(g) the Member’s Certificate of Registration is not subject to a term, condition or</td>
<td></td>
</tr>
<tr>
<td>(i) the Member does not have a conflict of interest in respect of the Committee</td>
<td>limitation other than one prescribed by regulation;</td>
<td></td>
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<tr>
<td>to which he or she is to be appointed; and</td>
<td>(h) the Member has not been disqualified from serving on Council or a Committee</td>
<td></td>
</tr>
<tr>
<td>(j) the Member is not the Owner or Designated Manager of a pharmacy that, within</td>
<td>within the six (6) years immediately preceding the appointment;</td>
<td></td>
</tr>
<tr>
<td>the six (6) years immediately preceding the appointment, has undergone a re-</td>
<td>(i) the Member does not have a conflict of interest in respect of the Committee to</td>
<td></td>
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<tr>
<td>inspection, as a result of deficiencies noted in an initial inspection, for a</td>
<td>which he or she is to be appointed; and</td>
<td></td>
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<tr>
<td>third (3rd) time or more after the initial inspection.</td>
<td>(j) the Member is not an employee, officer or director of a Professional Advocacy</td>
<td></td>
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<tr>
<td>(k) the Member is not an employee, officer or director of a Professional</td>
<td>Association or, if the Member is such an employee, officer or director of a</td>
<td></td>
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<tr>
<td>Advocacy Association the Member gives an undertaking to resign from such position</td>
<td>Professional Advocacy Association the Member gives an undertaking to resign from</td>
<td></td>
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<tr>
<td>upon being appointed (however, for greater certainty, a member of a Committee</td>
<td>such position upon being appointed (however, for greater certainty, a member of a</td>
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<tr>
<td>shall not be ineligible by reason of serving on an association or organization to</td>
<td>Committee shall not be ineligible by reason of serving on an association or</td>
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<td>which he or she has been appointed by the Council as a representative of the</td>
<td>the College).</td>
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<td>College).</td>
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<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td><strong>8.7 Appointment of Elections Committee.</strong> The Elections Committee shall be formed at the last regular meeting of the Council preceding the annual election of members to the Council. The members of the Elections Committee shall be appointed by the President, subject to the approval of the Council. The Elections Committee shall appoint its own Chair. All appointments to the Elections Committee shall be for a term that expires at the last regular meeting of the Council preceding the next year’s election.</td>
<td>Deleted.</td>
<td>The Elections and Nominating Committees are replaced with a Screening and Governance Committees.</td>
</tr>
<tr>
<td><strong>8.8 Appointment of Drug Preparation Premises Committee.</strong> The Drug Preparation Premises Committee shall be formed at the first regular meeting of Council after each annual August election and appointments to it shall be in accordance with paragraph 8.9.</td>
<td>Deleted.</td>
<td>Appointment to all committees is addressed in Article 13. See paragraph 13.1.</td>
</tr>
<tr>
<td><strong>8.9 Appointments to Statutory and Standing Committees.</strong> All Statutory and standing Committee appointments, with the exception of the Elections Committee, shall be made by the Council at the first regular meeting of Council after each annual August election, and shall be for a term that expires at the first regular meeting of Council after the following election. The appointments to all Statutory and standing Committees, with the exception of the Elections Committee, shall be made in the following manner:</td>
<td>See paragraph 13.1. Portions of paragraph 8.9 in green are contained in paragraph 13.1 in the amended By-Law. The other sections of paragraph 8.9 have been deleted.</td>
<td>Appointment to all committees is addressed in Article 13. See paragraph 13.1.</td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>8.9.2 The Elections Committee shall give its report, consisting of the names of all members of Council who have expressed interest or willingness to sit on or chair a Committee, to the Nominating Committee.</td>
<td>See subparagraph 12.1.4. Portions of subparagraph 8.9.4 in green are contained in subparagraph 12.1.4 in the amended By-Law.</td>
<td>Elections of officers and the Executive Committee are addressed in Article 12. The process will be led by the Governance Committee.</td>
</tr>
<tr>
<td>8.9.3 The Nominating Committee shall nominate all eligible Council members who agree to sit on the Executive Committee and all eligible Council members who agree to chair the other Statutory Committees and standing Committees. The Chair of the Nominating Committee shall present the nominations to Council.</td>
<td></td>
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<tr>
<td>8.9.4 Elections to the Executive Committee:</td>
<td>(a) The President shall call for further nominations for the open positions on the Executive Committee;</td>
<td></td>
</tr>
<tr>
<td>(b) Should the number of nominees who are Members match the number of open positions on the Executive Committee for members of the Council who are Members in accordance with the Committee composition provisions of this By-Law, all such nominees shall be declared appointed; and</td>
<td>(b) Should the number of nominees who are Members match the number of open positions on the Executive Committee for members of the Council who are Members in accordance with the Committee composition provisions of this By-Law, all such nominees shall be declared appointed; and</td>
<td></td>
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<tr>
<td>(c) Should the number of nominees who are appointed by the Lieutenant Governor-in-Council match the number of open positions on the Executive Committee for members of the Council appointed by the Lieutenant Governor-in-Council in accordance with the Committee composition provisions of this By-Law, all such nominees shall be declared appointed; and</td>
<td>(c) Should the number of nominees who are appointed by the Lieutenant Governor-in-Council match the number of open positions on the Executive Committee for members of the Council appointed by the Lieutenant Governor-in-Council in accordance with the Committee composition provisions of this By-Law, all such nominees shall be declared appointed; and</td>
<td></td>
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<tr>
<td>(d) Should the number of nominees in either category exceed the number of open positions in that category, an election shall be held following the procedure in subparagraph 10.1.2(b). Should there be more than one open position in a category, Council members shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who received the fewest votes shall then</td>
<td>(d) Should the number of nominees in either category exceed the number of open positions in that category, an election shall be held following the procedure in subparagraph 10.1.2(b). Should there be more than one open position in a category, Council members shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who received the fewest votes shall then</td>
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<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<td>be removed from the ballot, and the voting will continue until the number of candidates remaining matches the number of open positions in the category, and such candidates shall be declared appointed. Council members may only cast one vote per candidate on each ballot.</td>
<td>10.1.2(b). Should there be more than one open position in a category, Council members shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who received the fewest votes shall then be removed from the ballot, and the voting will continue until the number of candidates remaining matches the number of open positions in the category, and such candidates shall be declared appointed. Council members may only cast one vote per candidate on each ballot.</td>
<td>In the amended By-Law, Committees are appointed by the Board in accordance with paragraph 13.1, and Committees select their own chair in accordance with paragraph 13.3.</td>
</tr>
<tr>
<td>8.9.5 The President shall call for further nominations from among the Council members for Chairs of the other Statutory Committees and of the standing Committees. If more than one person is nominated to serve as Chair of a Committee, an election shall be held following the procedure in subparagraph 10.1.2(b).</td>
<td>Deleted.</td>
<td></td>
</tr>
<tr>
<td>8.9.6 The Nominating Committee shall confer with the newly elected Chair of each statutory and standing Committee to consider the appointment of the remaining members to that Committee in accordance with the Committee composition provisions of this By-Law. The Nominating Committee shall then prepare a report with respect to the proposed membership of each Committee, which the Chair of the Nominating Committee shall present to the Council for its approval. In making this report the Nominating Committee shall consider the benefits of having minimal overlap between the composition of the Executive Committee and the Finance and Audit Committee.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.10 Disqualification, Vacancies and Term Limits of Committee Members.</td>
<td>Moved.</td>
<td>See subparagraph 14.1.2. The subsections of subparagraph 8.10.2 are repeated with minor amendments in subparagraph 14.1.2 of the amended By-Law, with some additions shown in blue.</td>
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<td>8.10.2 The Council may disqualify a member of a Committee from sitting on the Committee if the member: (a) fails, without cause, to attend three (3) consecutive sessions.</td>
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<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<td>meetings of the Committee or of a subcommittee of which he or she is a member;</td>
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<td>(b) fails, without cause, to attend a scheduled hearing or review conducted by a</td>
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<td>panel to which he or she was appointed;</td>
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<td>(c) ceases to either practise or reside in Ontario;</td>
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<td>(d) is in default of payment of any fees prescribed in the By-Laws;</td>
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<td>(e) becomes an employee, officer or director of a Professional Advocacy</td>
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<td>Association (however, for greater certainty, a member of a Committee shall</td>
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<tr>
<td>not be disqualified by reason of serving on an association or organization to</td>
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<td>which he or she has been appointed by the Council as a representative of the</td>
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<td>College);</td>
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<td>(f) breaches the provisions of the By-Laws, including the Schedules to the</td>
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<td>By-Laws, or the policies and procedures of the College in force at the relevant</td>
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<td>time; or</td>
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<td>(g) in the case of a member of Council who sits on a Committee, ceases to be a</td>
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<tr>
<td>member of Council.</td>
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<tr>
<td>8.10.3 A person who is disqualified under subparagraph 8.10.1 or 8.10.2 from</td>
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<td>sitting on a Committee is thereby removed from the Committee and ceases to be</td>
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<tr>
<td>a member of the Committee and, subject to subparagraph 8.10.5, the President</td>
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<tr>
<td>shall appoint a successor as soon after the disqualification as is feasible.</td>
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<tr>
<td>8.10.4 The term of office of a person who is appointed as a successor to a</td>
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<td>Committee member under subparagraph 8.10.3 shall commence upon the appointment</td>
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<td>and shall continue until the term of office of the member of the Committee who</td>
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<td>is being replaced would have expired.</td>
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<tr>
<td>8.10.5 A vacancy in the membership or chair of a Committee shall be filled by</td>
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<td>appointment made by the President. In the case of a vacancy in the membership</td>
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<td>of a Committee, the President</td>
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<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>shall consult with the Chair of the Committee before making the appointment.</td>
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<tr>
<td>8.10.6 Nothing in paragraph 8.10 prevents the Council, or the Executive Committee acting on its behalf, from adding members to or removing members from a Committee at any time for administrative or logistical reasons.</td>
<td></td>
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</tr>
<tr>
<td><strong>ARTICLE 9 - COMPOSITION AND DUTIES OF STATUTORY AND STANDING COMMITTEES</strong></td>
<td></td>
<td>Committee memberships have been amended to reflect the principals of reform.</td>
</tr>
<tr>
<td>9.2 Composition of the Executive Committee. The Executive Committee shall be composed of:</td>
<td>9.2 Composition of the Executive Committee. The Executive Committee shall be composed of:</td>
<td></td>
</tr>
<tr>
<td>9.2.1 the President and the Vice-President;</td>
<td>9.2.1 the President and the Vice-President Chair and the Vice-Chair, and three (3) additional Directors, one (1) of whom shall be an Elected Director and two (2) of whom shall be Public Directors.</td>
<td></td>
</tr>
<tr>
<td>9.2.2 the immediate past President if he or she is a current member of Council; and</td>
<td>9.2.2 the immediate past President if he or she is a current member of Council; and</td>
<td></td>
</tr>
<tr>
<td>9.2.3 the minimum number of additional members of the Council as will ensure that the Committee consists of four members (4) of the Council who are Members and three (3) members of the Council who are appointed by the Lieutenant Governor in Council.</td>
<td>9.2.3 the minimum number of additional members of the Council as will ensure that the Committee consists of four members (4) of the Council who are Members and three (3) members of the Council who are appointed by the Lieutenant Governor in Council.</td>
<td></td>
</tr>
<tr>
<td>9.4 Duties of the Executive Committee. The Executive Committee shall:</td>
<td>9.4 Duties of the Executive Committee. The Executive Committee shall:</td>
<td></td>
</tr>
<tr>
<td>9.4.1 perform such functions as are assigned to it by statute or regulation;</td>
<td>9.4.1 perform such functions as are assigned to it by statute or regulations in accordance with section 12 (1) of the Code, exercise all the powers and duties of the Council/Board between Council/Board meetings that, in the Committee’s opinion, require attention, other than the power to make, amend or revoke a regulation or by-law.</td>
<td></td>
</tr>
<tr>
<td>9.4.2 recommend to the Council proposals for changes to applicable statutes, regulations, By-Laws, policies and practices;</td>
<td>9.4.2 recommend to the Council Board proposals for changes</td>
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<tr>
<td>9.4.3 submit an annual report to the Council in accordance with the Code;</td>
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<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>9.4.4 exercise all the powers and duties of the Council between Council meetings that, in the Committee’s opinion, requires attention, other than the power to make, amend or revoke a regulation or by-law.</td>
<td>to applicable statutes, regulations, By-Laws, College policies and standards of practice;</td>
<td></td>
</tr>
<tr>
<td>9.4.5 review correspondence and other documents relating to the policies of the College;</td>
<td>9.4.3 submit an annual report to the Council in accordance with the Code;</td>
<td></td>
</tr>
<tr>
<td>9.4.6 receive reports from other Committees and report the activities of those Committees to Council at regular meetings of the Council;</td>
<td>9.4.3 receive findings and recommendations from the Elections Governance Committee pursuant to subparagraph 5.9.2, take such action in respect of the person who is the subject of the findings and recommendations as it deems appropriate, and report its decision to the Council;</td>
<td></td>
</tr>
<tr>
<td>9.4.7 receive findings and recommendations from the Elections Committee pursuant to subparagraph 5.9.2, take such action in respect of the person who is the subject of the findings and recommendations as it deems appropriate, and report its decision to the Council;</td>
<td>9.4.5 review correspondence and other documents relating to the policies of the College;</td>
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</tr>
<tr>
<td>9.4.8 have the following financial authorities:</td>
<td>9.4.6 receive reports from other Committees and report the activities of those Committees to Council at regular meetings of the Council;</td>
<td></td>
</tr>
<tr>
<td>(a) to approve all required operating expenditures not included in the operating budget, to a limit of $20,000.00 per item, and $100,000.00 in total per year;</td>
<td>9.4.8 have the following financial authorities:</td>
<td></td>
</tr>
<tr>
<td>(b) to approve all required capital expenditures not included in the budget to a limit of $100,000.00;</td>
<td>(a) to approve all required operating expenditures not included in the operating budget, to a limit of $20,000.00 per item, and $100,000.00 in total per year;</td>
<td></td>
</tr>
<tr>
<td>(c) items over the limits prescribed in subparagraphs 9.4.8(a) and (b) above shall be referred to the Council;</td>
<td>(b) to approve all required capital expenditures not included in the budget to a limit of $100,000.00;</td>
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<tr>
<td>9.4.9 recommend general policy to the Council;</td>
<td>9.4.9 recommend general policy to the Council;</td>
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<tr>
<td>9.4.10 ensure that the policies of the Council are carried out;</td>
<td>9.4.9 recommend general policy to the Council;</td>
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<tr>
<td>9.4.11 report its activities, decisions and recommendations through the President at each meeting of the Council; and</td>
<td>9.4.10 ensure that the policies of the Council are carried out;</td>
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</tr>
<tr>
<td>9.4.12 have the following authorities with respect to staff compensation:</td>
<td>9.4.11 report its activities, decisions and recommendations through the President at each meeting of the Council; and</td>
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<tr>
<td>(a) annually, establish guidelines for the awarding of salary</td>
<td>(a) annually, establish guidelines for the awarding of salary</td>
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### Existing Clause

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<tr>
<th>Increases to staff;</th>
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<td>(b) at least annually, review compensation for the Registrar; and</td>
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<tr>
<td>(c) provide broad policy guidance to senior management on matters related to non-salary compensation and benefit programs for College staff.</td>
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### Proposed New Clause

<table>
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<tr>
<th>9.4.126 have the following authorities with respect to staff compensation:</th>
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<tbody>
<tr>
<td>(a) annually, establish guidelines for the awarding of salary increases to staff;</td>
</tr>
<tr>
<td>(b) at least annually, review compensation for the Registrar; and</td>
</tr>
<tr>
<td>(c) provide broad policy guidance to senior management on matters related to non-salary compensation and benefit programs for College staff.</td>
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### Rationale

<table>
<thead>
<tr>
<th>9.5 Composition of the Registration Committee. The Registration Committee shall be composed of:</th>
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<tbody>
<tr>
<td>9.5.1 at least two (2) members of Council who are Members;</td>
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<tr>
<td>9.5.2 at least two (2) members of Council appointed to the Council by the Lieutenant Governor in Council;</td>
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<tr>
<td>9.5.3 at least one (1) Member who is not a member of Council;</td>
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<tr>
<td>9.5.4 a dean of a faculty or school of a pharmacy program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs, or his or her designate as approved by the Council; and</td>
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<tr>
<td>9.5.5 a representative of a pharmacy technician program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs.</td>
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<tr>
<th>9.5 Composition of the Registration Committee.</th>
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<tr>
<td>The Registration Committee shall be composed of:</td>
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<tr>
<td>9.5.1 two (2) Public Directors;</td>
</tr>
<tr>
<td>9.5.2 at least two (2) members of Council who are Members;</td>
</tr>
<tr>
<td>9.5.3 at least one (1) Member who is not a member of Council;</td>
</tr>
<tr>
<td>9.5.4 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees;</td>
</tr>
<tr>
<td>9.5.5 a dean of a faculty or school of a pharmacy program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs, or his or her designate as approved by the Council; and</td>
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<tr>
<td>9.5.6 a representative of a pharmacy technician program in Ontario that has been accredited by the Canadian Council for Accreditation of Pharmacy Programs.</td>
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### 9.6 Duties of the Registration Committee. The

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<td>-----------------</td>
</tr>
<tr>
<td>Registration Committee shall:</td>
</tr>
<tr>
<td>9.6.1 perform such functions as are assigned to it by statute or regulation;</td>
</tr>
<tr>
<td>9.6.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;</td>
</tr>
<tr>
<td>9.6.3 submit an annual report to the Council in accordance with the Code;</td>
</tr>
<tr>
<td>9.6.4 provide guidance to the Council on matters concerning registration, examinations and in-service training required prior to registration; and</td>
</tr>
<tr>
<td>9.6.5 maintain familiarity with the accreditation standards that the Canadian Council for Accreditation of Pharmacy Programs sets for all pharmacy and pharmacy technician programs that it accredits.</td>
</tr>
<tr>
<td>9.7 Composition of the Inquiries, Complaints and Reports Committee. The Inquiries, Complaints and Reports Committee shall be composed of:</td>
</tr>
<tr>
<td>9.7.1 at least five (5) members of the Council who are Members;</td>
</tr>
<tr>
<td>9.7.2 at least five (5) members of the Council appointed to the</td>
</tr>
<tr>
<td>Existing Clause</td>
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</tr>
<tr>
<td>Council by the Lieutenant Governor in Council; and 9.7.3 at least seven (7) Members who are not members of the Council.</td>
</tr>
<tr>
<td><strong>9.8 Duties of the Inquiries, Complaints and Reports Committee.</strong> The Inquiries, Complaints and Reports Committee shall:</td>
</tr>
<tr>
<td><strong>9.9 Composition of the Discipline Committee.</strong> The Discipline Committee shall be composed of:</td>
</tr>
</tbody>
</table>

279746.00006/106007445.5
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.9.3 at least five (5) Members who are not members of the Council.</td>
<td>Public Directors except those who are on the Accreditation Committee;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9.9.3 at least five (5) Members of ten (10) or more Professional</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Committee Appointees who are not members of the Council Accreditation Committee;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9.9.4 at the discretion of the Governance Committee, one (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or more Lay Committee Appointees who are not on the Accreditation Committee.</td>
<td></td>
</tr>
<tr>
<td>9.10 Duties of the Discipline Committee.</td>
<td>9.10 Duties of the Discipline Committee.</td>
<td></td>
</tr>
<tr>
<td>9.10.1 perform such functions as are assigned to it by statute or regulation;</td>
<td>9.10.1 The Discipline Committee shall perform such functions as are assigned to it</td>
<td></td>
</tr>
<tr>
<td>9.10.2 recommend to the Council, through the Executive Committee, changes to</td>
<td>9.10.2 The Discipline Committee may be required by the Board from time to time in</td>
<td></td>
</tr>
<tr>
<td>applicable statutes, regulations, By-Laws policies and practices;</td>
<td>the Board’s discretion to:</td>
<td></td>
</tr>
<tr>
<td>9.10.3 submit an annual report to the Council in accordance with the Code;</td>
<td>(a) 9.10.2 recommend to the Council, through the Executive Committee, Board</td>
<td></td>
</tr>
<tr>
<td>and</td>
<td>changes to applicable statutes, regulations, By-Laws, College policies and</td>
<td></td>
</tr>
<tr>
<td>9.10.4 provide guidance to the Council on matters concerning discipline.</td>
<td>standards of practices; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(b) 9.10.4 provide guidance to the Council on matters concerning discipline.</td>
<td></td>
</tr>
<tr>
<td>9.11 Composition of the Fitness to Practise Committee.</td>
<td>9.11 Composition of the Fitness to Practise Committee.</td>
<td></td>
</tr>
<tr>
<td>The Fitness to Practise Committee shall be composed of:</td>
<td>The Fitness to Practise Committee shall be composed of:</td>
<td></td>
</tr>
<tr>
<td>9.11.1 at least two (2) members of the Council who are Members;</td>
<td>9.11.1 at least two (2) members of the Council who are Members;</td>
<td></td>
</tr>
<tr>
<td>9.11.2 at least two (2) members of the Council appointed to the</td>
<td>9.11.2 at least two (2) members of the Council appointed to the</td>
<td></td>
</tr>
<tr>
<td>Council by the Lieutenant Governor in Council; and</td>
<td>Council by the Lieutenant Governor in Council; and</td>
<td></td>
</tr>
<tr>
<td>9.11.3 at least one (1) Member who is not a member of Council.</td>
<td>9.11.3 at least one (1) Member who is not a member of Council;</td>
<td></td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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</tbody>
</table>
| **9.12 Duties of the Fitness to Practise Committee.** The Fitness to Practise Committee shall: | 9.12 Duties of the Fitness to Practise Committee. The Fitness to Practise Committee shall perform such functions as are assigned to it by statute or regulation.  
9.12.2 The Fitness to Practise Committee may be required by the Board from time to time in the Board’s discretion to:  
(a) recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices; and  
(b) provide guidance to the Council on matters concerning fitness to practise. |                 |
| 9.12.1 perform such functions as are assigned to it by statute or regulation;  
9.12.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;  
9.12.3 submit an annual report to the Council in accordance with the Code; and  
9.12.4 provide guidance to the Council on matters concerning fitness to practise. | 9.12.1 The Fitness to Practise Committee shall perform such functions as are assigned to it by statute or regulation.  
9.12.2 The Fitness to Practise Committee may be required by the Board from time to time in the Board’s discretion to:  
(a) recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices; and  
(b) provide guidance to the Council on matters concerning fitness to practise. |                 |
| 9.13 Composition of the Quality Assurance Committee. The Quality Assurance Committee shall be composed of: | 9.13 Composition of the Quality Assurance Committee. The Quality Assurance Committee shall be composed of:  
9.13.1 at least two (2) members of the Council who are Members;  
9.13.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and  
9.13.3 at least three (3) Members who are not members of the Council. |                 |
| 9.13.1 at least two (2) members of the Council who are Members;  
9.13.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and  
9.13.3 at least three (3) Members who are not members of the Council. | 9.13.1 at least two (2) members of the Council who are Members;  
9.13.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and  
9.13.3 at least three (3) Members who are not members of the Council. |                 |
9.14.1 The Quality Assurance Committee shall: |                 |
| 9.14.1 The Quality Assurance Committee shall: | 9.14.1 The Quality Assurance Committee shall: |                 |

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<table>
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<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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</thead>
<tbody>
<tr>
<td>9.14.1 perform such functions as are assigned to it by statute or regulation;</td>
<td>(a) 9.14.1 perform such functions as are assigned to it by statute or regulation;</td>
<td></td>
</tr>
<tr>
<td>9.14.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;</td>
<td>9.14.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;</td>
<td></td>
</tr>
<tr>
<td>9.14.3 submit an annual report to the Council in accordance with the Code;</td>
<td>9.14.3 submit an annual report to the Council in accordance with the Code;</td>
<td></td>
</tr>
<tr>
<td>9.14.4 provide guidance to the Council on matters concerning quality assurance; and</td>
<td>9.14.4 provide guidance to the Council on matters concerning quality assurance; and</td>
<td></td>
</tr>
<tr>
<td>9.14.5 maintain a continuing review of the Quality Assurance Program.</td>
<td>(b) 9.14.5 maintain a continuing review of the Quality Assurance Program.</td>
<td></td>
</tr>
</tbody>
</table>

9.15 Composition of the Patient Relations Committee. The Patient Relations Committee shall be composed of:

- 9.15.1 at least two (2) members of the Council who are Members;
- 9.15.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- 9.15.3 at least one (1) Member who is not a member of Council.

9.15 Composition of the Patient Relations Committee. The Patient Relations Committee shall be composed of:

- 9.15.1 at least two (2) members of the Council who are Members; or more Professional Committee Appointees; and
- 9.15.2 at least three (3) members of the Council appointed to the Council by the Lieutenant Governor in Council; and at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.
- 9.15.3 at least one (1) Member who is not a member of Council.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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</thead>
<tbody>
<tr>
<td><strong>9.16 Duties of the Patient Relations Committee.</strong> The Patient Relations Committee shall</td>
<td><strong>9.16 Duties of the Patient Relations Committee.</strong> The Patient Relations Committee shall perform such functions as are assigned to it by statute or regulation.</td>
<td></td>
</tr>
<tr>
<td>9.16.1 perform such functions as are assigned to it by statute or regulation;</td>
<td>9.16.1 The Patient Relations Committee shall perform such functions as are assigned to it by statute or regulation.</td>
<td></td>
</tr>
<tr>
<td>9.16.2 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices;</td>
<td>9.16.2 The Patient Relations Committee may be required by the Board from time in the Board’s discretion to: (a) recommend to the Council, through the Executive Committee, Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practice; and (b) submit an annual report to the Council in accordance with the Code; and</td>
<td></td>
</tr>
<tr>
<td>9.16.3 submit an annual report to the Council in accordance with the Code; and</td>
<td>9.16.3 submit an annual report to the Council in accordance with the Code; and</td>
<td></td>
</tr>
<tr>
<td>9.16.4 provide guidance to the Council on matters concerning patient relations.</td>
<td>9.16.4 provide guidance to the Council on matters concerning patient relations.</td>
<td></td>
</tr>
<tr>
<td><strong>9.17 Composition of the Accreditation Committee.</strong> The Accreditation Committee shall be composed of:</td>
<td><strong>9.17 Composition of the Accreditation Committee.</strong> The Accreditation Committee shall be composed of:</td>
<td></td>
</tr>
<tr>
<td>9.17.1 at least two (2) members of the Council who are Members;</td>
<td>9.17.1 at least two (2) members of the Council who are Members; two (2) Public Directors;</td>
<td></td>
</tr>
<tr>
<td>9.17.2 at least two (2) members of the Council appointed to the Council by the Lieutenant Governor in Council; and</td>
<td>9.17.2 at least two (2) members of the Council appointed to the Council by the Lieutenant Governor in Council; and</td>
<td></td>
</tr>
<tr>
<td>9.17.3 at least two (2) Members who are not members of Council.</td>
<td>9.17.3 at least two (2) Members who are not members of Council; three (3) or more Professional Committee Appointees; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9.17.3 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.</td>
<td></td>
</tr>
<tr>
<td><strong>9.18 Duties of the Accreditation Committee.</strong> The Accreditation Committee shall:</td>
<td><strong>9.18 Duties of the Accreditation Committee.</strong> The Accreditation Committee shall perform such functions as are assigned to it by statute or regulation.</td>
<td></td>
</tr>
<tr>
<td>9.18.1 perform such functions as are assigned to it by statute or regulation;</td>
<td>9.18.1 The Accreditation Committee shall perform such functions as are assigned to it by statute or regulation.</td>
<td></td>
</tr>
<tr>
<td>9.18.2 recommend to the Council, through the Executive</td>
<td>9.18.2 The Accreditation Committee may be required by the Board from time to time in the Board’s discretion to:</td>
<td></td>
</tr>
<tr>
<td>Committee, for such matters as the Board may from time to time in the Board’s discretion determine.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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</tr>
<tr>
<td>Committee, changes to applicable statutes, regulations, By-Laws, policies and practices; 9.18.3 submit an annual report to the Council; and 9.18.4 provide guidance to the Council on matters concerning accreditation.</td>
<td>(a) recommend to the Council, through the Executive Committee, Board changes to applicable statutes, regulations, By-Laws, College policies and standards of practices; and 9.18.3 submit an annual report to the Council; and (b) 9.18.4 provide guidance to the Council, Board on matters concerning accreditation.</td>
<td></td>
</tr>
<tr>
<td>9.19 Composition of the Finance and Audit Committee. The Finance and Audit Committee shall be composed of: 9.19.1 at least three (3) members of the Council who are Members; and 9.19.2 at least one (1) member of Council appointed to the Council by the Lieutenant Governor in Council.</td>
<td>9.19 Composition of the Finance and Audit Committee. The Finance and Audit Committee shall be composed of: 9.19.1 at least three (3) members of the Council who are Members; and two (2) or more Elected Directors; and 9.19.2 at least one (1) member of Council appointed to the Council by the Lieutenant Governor in at the discretion of the Governance Committee, two (2) or more Lay Committee Appointees.</td>
<td></td>
</tr>
<tr>
<td>9.20 Duties of the Finance and Audit Committee. The Finance and Audit Committee shall: 9.20.1 review and recommend to the Council, through the Executive Committee, the annual operating and capital budget for the College; 9.20.2 maintain a rolling two (2) year operating budget; 9.20.3 review quarterly financial statements and report to Council, through the Executive Committee, significant deviations from budget; 9.20.4 meet with the auditor each year, (a) before the audit to review the timing and extent of the audit and to bring to the attention of the auditor any matter of which it considers the auditor should be made aware; and (b) as shortly after the completion of the audit as is practical.</td>
<td>9.20 Duties of the Finance and Audit Committee. The Finance and Audit Committee shall: 9.20.1 review and recommend to the Council, through the Executive Committee, Board, the annual operating and capital budget for the College; 9.20.2 maintain a rolling two (2) year operating budget; 9.20.3 review quarterly financial statements and report to Council, through the Executive Committee, the Board, significant deviations from budget; 9.20.4 meet with the auditor each year, (a) before the audit to review the timing and extent of the audit and to bring to the attention of the auditor any matter of which it considers the auditor should be made aware; and (b) as shortly after the completion of the audit as is practical.</td>
<td></td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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<tr>
<td>in order to review and discuss with the auditor the financial statements and the auditor’s report; 9.20.5 review and report to the Council, through the Executive Committee, on the effectiveness of the external audit function and any matter which the external auditor wishes to bring to the attention of the College; 9.20.6 make recommendations to the Council, through the Executive Committee, on the appointment or reappointment of the external auditor; 9.20.7 make recommendations to the Council through the Executive Committee regarding the management of the College’s assets and liabilities and additions or improvements to the real property owned or operated by the College; and 9.20.8 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices.</td>
<td>practical, in order to review and discuss with the auditor the financial statements and the auditor’s report; 9.20.5 review and report to the Council, through the Executive Committee, on the effectiveness of the external audit function and any matter which the external auditor wishes to bring to the attention of the College; 9.20.6 make recommendations to the Council, through the Executive Committee, on the appointment or reappointment of the external auditor; 9.20.7 make recommendations to the Council, through the Executive Committee, regarding the management of the College’s assets and liabilities and additions or improvements to the real property owned or operated by the College; and 9.20.8 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and standards of practices.</td>
<td></td>
</tr>
<tr>
<td>9.21 Composition of the Elections Committee. The Elections Committee shall be composed of: 9.21.1 at least one (1) member of Council who is a Member; 9.21.2 at least one (1) member of Council appointed by the Lieutenant Governor in Council; and 9.21.3 the President.</td>
<td>9.21 Composition of the Elections Screening Committee. The Elections Screening Committee shall be composed of: 9.21.1 at least one (1) member of Council who is a Member; 9.21.2 at least one (1) member of Council appointed by the Lieutenant Governor in Council; and 9.21.3 the President. 9.21.1 the chair of the Governance Committee; 9.21.2 two (2) additional Directors, one (1) or more of whom shall be a Public Director; and 9.21.3 two (2) or more Lay Committee Appointees.</td>
<td>Best practices as recommended and approved by Council, Screening Committee to be comprised of Board and external members. Committee to conduct objective screening for</td>
</tr>
</tbody>
</table>
## Existing Clause

<table>
<thead>
<tr>
<th>Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.22.1 invite expressions of interest in sitting on and chairing Committees from all members of Council. Where there are not sufficient expressions of interest to fill every Committee, the Elections Committee shall use its best efforts to recruit additional Committee members sufficient to fully constitute every Committee;</td>
<td>9.22.1 invite expressions of interest in sitting on and chairing Committees from all members of Council. Where there are not sufficient expressions of interest to fill every Committee, the Elections Committee shall use its best efforts to recruit additional Committee members sufficient to fully constitute every Committee;</td>
<td>Board and Committee competencies.</td>
</tr>
<tr>
<td>9.22.2 seek candidates for the offices of President and Vice-President;</td>
<td>9.22.2 seek candidates for the offices of President and Vice-President;</td>
<td></td>
</tr>
<tr>
<td>9.22.3 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices; and</td>
<td>9.22.3 recommend to the Council, through the Executive Committee, changes to applicable statutes, regulations, By-Laws, policies and practices; and</td>
<td></td>
</tr>
<tr>
<td>9.22.4 perform the duties assigned to it under subparagraph 5.9.2.</td>
<td>9.22.4 perform the duties assigned to it under subparagraph 5.9.2.</td>
<td></td>
</tr>
<tr>
<td>9.23 Composition of the Governance Committee. The Governance Committee shall be composed of:</td>
<td>9.33 Composition of the Governance Committee. The Governance Committee shall be composed of:</td>
<td></td>
</tr>
<tr>
<td>9.23.1 four (4) Directors, including the Vice-Chair (who shall be the chair of the Governance Committee) and one (1) or more of each of the following: a Public Director, a pharmacist Director and a pharmacy technician Director; and</td>
<td>9.23.1 four (4) Directors, including the Vice-Chair (who shall be the chair of the Governance Committee) and one (1) or more of each of the following: a Public Director, a pharmacist Director and a pharmacy technician Director; and</td>
<td></td>
</tr>
<tr>
<td>9.23.2 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.</td>
<td>9.23.2 at the discretion of the Governance Committee, one (1) or more Lay Committee Appointees.</td>
<td></td>
</tr>
<tr>
<td>None.</td>
<td>None.</td>
<td></td>
</tr>
<tr>
<td>Governance Committee is responsible for determining the Director Profile for recruitment, recommending distribution of pre screened Board and Committee members as well as</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Clause</td>
<td>Proposed New Clause</td>
<td>Rationale</td>
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</table>
| 9.24.1 assess the collective knowledge, skills and experience of the current Board in order to: | **9.24.1** assess the collective knowledge, skills and experience of the current Board in order to:  
   i) determine the competencies the Board will be seeking in the upcoming election and develop the Director Profile; and  
   ii) consider and implement the succession strategy for the positions of Chair, Vice Chair and member of the Executive Committee, in order to determine which Directors are qualified for the purpose of paragraph 12.1; | orientation, evaluation, education/training, remediation and dispute resolution. |
| 9.24.2 recommend a slate of appointees for Committees; | 9.24.2 recommend a slate of appointees for Committees; |
| 9.24.3 oversee the processes for orientation of Directors and members of Committees; | 9.24.3 oversee the processes for orientation of Directors and members of Committees; |
| 9.24.4 oversee the process to evaluate the performance of Committees, the Board as a whole, as well as individual Directors and Committee appointees; | 9.24.4 oversee the process to evaluate the performance of Committees, the Board as a whole, as well as individual Directors and Committee appointees; |
| 9.24.5 identify and recommend opportunities for education, training, coaching and remediation of Directors and Committee members; | 9.24.5 identify and recommend opportunities for education, training, coaching and remediation of Directors and Committee members; |
| 9.24.6 in the event of a dispute as set out in subparagraph 5.10.7, conduct an investigation and report findings and recommendations to the Executive Committee about whether a Registrant is eligible or qualified as a candidate for election; and | 9.24.6 in the event of a dispute as set out in subparagraph 5.10.7, conduct an investigation and report findings and recommendations to the Executive Committee about whether a Registrant is eligible or qualified as a candidate for election; and |
| 9.24.7 review By-Laws and Board policies for conformance with current legislative requirements and good governance best practices. | 9.24.7 review By-Laws and Board policies for conformance with current legislative requirements and good governance best practices. |

**ARTICLE 10 - DUTIES OF OFFICERS**

<table>
<thead>
<tr>
<th>10.1 Election of the President and the Vice-President.</th>
<th>See subparagraph 12.1.2. Portions of paragraph 10.1 in green are contained in subparagraph 12.1.2 in the amended By-Law.</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1.1 The elections for President and Vice-President shall be held at the first regular meeting of the Council following the election of the President and the Vice-President.</td>
<td>10.1.2 The election of the President shall be conducted in the following manner:</td>
</tr>
<tr>
<td>See subparagraph 12.1.2. Portions of paragraph 10.1 in green are contained in subparagraph 12.1.2 in the amended By-Law.</td>
<td>See subparagraph 12.1.2. Portions of paragraph 10.1 in green are contained in subparagraph 12.1.2 in the amended By-Law.</td>
</tr>
</tbody>
</table>

The election process for officers has been moved to paragraph 12.1. Only duties are dealt with in Article 10. In the amended By-Law, the title of “President” has been replaced with **President**.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
</table>
| annual August election of Council members and shall be conducted using electronic voting methods. | following manner:  
(a) The outgoing President, or a person chosen by the Council, if the President is unable or unwilling to act, shall call on the Chair of the Elections Committee for the Elections Committee’s report. The Chair shall present the list of all candidates for the office of President and hand it to the outgoing President. The President shall read the list and shall ask “Are there any further nominations?” Any Council member may then rise and, after addressing the Chair, nominate any other Council member for President. It is not necessary for the nomination to be seconded.  
(b) If there is more than one candidate, an election shall be held. The President shall declare the candidate receiving the overall majority of votes cast to be elected. If there are three (3) or more candidates and no candidate has received an overall majority of votes, the candidate who received the fewest votes shall be removed from the ballot and the vote shall be repeated until there are two candidates remaining. The vote shall then be repeated until one (1) of the candidates has an overall majority of votes. If three (3) votes result in a tie, the result shall be determined by lot by the Chair.  
10.1.3 The procedure outlined in paragraph 10.1.2 shall then be repeated for the office of Vice-President. | “Chair”. The Governance Committee will lead the election process. |
<p>| 10.1 Duties of the President and the Vice-President. | 10.1 Duties of the President Chair and the Vice-President Chair. | |
| 10.1.1 The President shall: | 10.1.1 The President Chair shall: | |
| (a) preside as Chair at all meetings of the Council; | (a) preside as Chair at all meetings of the Board; and | |
| (b) make all necessary rulings as to the order of business, subject to an appeal to the Council members present; and | (b) make all necessary rulings as to the order of business, | |</p>
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) be ex officio a member of all Committees of the Council, except the Discipline Committee.</td>
<td>subject to an appeal to the Directors present, and (c) be ex officio a member of all Committees of the Council, except the Discipline Committee.</td>
<td></td>
</tr>
<tr>
<td>10.1.2 The Vice-President shall, in the event of the absence or inability of the President to act, perform the duties of the President.</td>
<td>10.1.2 The Vice-President shall, in the event of the absence or inability of the President to act, perform the duties of the President.</td>
<td></td>
</tr>
<tr>
<td>10.1.3 In the event of the absence or inability of both the President and the Vice-President to act, the Council members present at a meeting of the Council may appoint one of the other members of the Council to preside at any meeting of the Council.</td>
<td>10.1.3 In the event of the absence or inability of both the President and the Vice-President to act, the Council members present at a meeting of the Council may appoint one of the other members of the Council to preside at any meeting of the Council.</td>
<td></td>
</tr>
<tr>
<td>10.1.4 In the event of the death, or disqualification, or inability to act of a permanent nature of the President or the Vice-President, the Council shall elect Council members to fill these vacancies according to the provisions of these By-Laws for calling a meeting and electing the President and the Vice-President.</td>
<td>10.1.4 In the event of the death, or disqualification, or inability to act of a permanent nature of the President or the Vice-President, the Council shall elect Council members Directors to fill these vacancies according to the provisions of these By-Law for calling a meeting and electing the President and the Vice-President.</td>
<td></td>
</tr>
<tr>
<td>10.1.5 Where the President has lost the confidence of the Council, Council may, on a notice of motion to that effect or at a special meeting of the Council, disqualify the President from office by a vote of at least two thirds (2/3) of the Council members present and eligible to vote.</td>
<td>10.1.5 Where the President has lost the confidence of the Council, the Council may, on a notice of motion to that effect or at a special meeting of the Council, disqualify the President from office by a vote of at least two thirds (2/3) of the Council members Directors present and eligible to vote.</td>
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**ARTICLE 11 - COMMITTEE APPOINTEES**

None.

11.1 **Professional Committee Appointments.**

11.1.1 The application form for appointment as a Professional Committee Appointee shall be made available on the College's website.

See subparagraph 8.6.2. Portions of subparagraph 11.1.2 in green are contained in subparagraph 8.6.2 in the current By-Law. Portions in blue are new. They reflect changes in defined

11.1.2 Subject to subparagraph 8.1.2, a Registrant is eligible for appointment to a Committee as a Professional Committee Appointee if the Registrant has completed and submitted an

Formerly referred to as NCCM (non council committee member)
| Terms and housekeeping items, as well as new eligibility requirements. | Application form to the Screening Committee and on the date of the appointment:  
(a) the Registrant holds a valid Certificate of Registration as a pharmacist or as a pharmacy technician;  
(b) the Registrant either practises or resides in Ontario;  
(c) the Registrant is not in default of payment of any fees prescribed in this By-Law;  
(d) the Registrant has not been found to have committed an act of professional misconduct or to be incompetent by a panel of the Discipline Committee;  
(e) the Registrant is not the subject of any disciplinary or incapacity proceeding;  
(f) the Registrant is not currently charged with nor has been found guilty of an offence under the Criminal Code (Canada) or the Controlled Drugs and Substances Act (Canada);  
(g) the Registrant has not, in the opinion of the Screening Committee, engaged in conduct unbecoming a Committee member;  
(h) the Registrant’s Certificate of Registration has not been revoked or suspended in the six (6) years preceding the date of the appointment;  
(i) the Registrant’s Certificate of Registration is not subject to a term, condition or limitation other than one prescribed by regulation;  
(j) the Registrant has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the appointment;  
(k) the Registrant does not have a conflict of interest in respect of the Committee to which he or she seeks to be appointed; | These are new eligibility requirements. |
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<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tr>
<td>(l) the Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the appointment, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection; and</td>
<td>(l) the Registrant is not the Owner or Designated Manager of a pharmacy that, within the six (6) years immediately preceding the appointment, has undergone a re-inspection, as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection; and</td>
<td>As with Director eligibility, the amendments proposed include a cooling off period for members of Professional Advocacy Associations.</td>
</tr>
<tr>
<td>(m) the Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association. For greater certainty, nothing in this clause will prevent a Registrant who serves on an association or organization to which he or she has been appointed by the Board, from becoming a Professional Committee Appointee.</td>
<td>(m) the Registrant is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association. For greater certainty, nothing in this clause will prevent a Registrant who serves on an association or organization to which he or she has been appointed by the Board, from becoming a Professional Committee Appointee.</td>
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</table>

11.2 Lay Committee Appointees

11.2.1 The application form for appointment as a Lay Committee Appointee shall be made available on the College’s website.

None.

11.2.2 An individual is eligible for appointment to a Committee as a Lay Committee Appointee if the individual has completed and submitted an application form to the Screening Committee and on the date of the appointment:

(a) the individual resides in Ontario;
(b) the individual has not been disqualified from serving on the Board or a Committee within the six (6) years immediately preceding the appointment;
(c) the individual has never been a Registrant;
(d) the individual has not been found to have committed an act of professional misconduct or to be incompetent by a panel of an adjudicatory committee of any profession;
(e) the individual is not the subject of any disciplinary or incapacity proceeding by a panel of an adjudicatory committee
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<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>of any profession;</td>
<td>(f) the individual is not currently charged with nor has been found guilty of an offence under the <em>Criminal Code (Canada)</em> or the <em>Controlled Drugs and Substances Act (Canada)</em>;</td>
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<tr>
<td>(g) the individual has no direct or indirect ownership interest in a pharmacy other than holding shares on a publicly traded stock exchange;</td>
<td>(h) the individual does not have a conflict of interest in respect of the Committee to which he or she seeks to be appointed; and</td>
<td></td>
</tr>
<tr>
<td>(i) the individual is not, and has not within the three (3) years immediately preceding the election been, an employee, officer or director of a Professional Advocacy Association, or any professional advocacy association of any health profession under the Act. For greater certainty, nothing in this clause will prevent an individual who serves on an association or organization to which he or she has been appointed by the Board as a representative of the College, from becoming a Lay Committee Appointee.</td>
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**ARTICLE 12 - ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE**

None.

12.1 Election of the Chair, Vice-Chair and Executive Committee.

12.1.1 At the first regular meeting of the Board after each annual August election, the Governance Committee shall present a report of all eligible Directors who are willing to serve as and have been assessed by the Governance Committee to be qualified for the role of (a) Chair, (b) Vice-Chair, and (c) member of the Executive Committee.

The Governance Committee will identify the most qualified candidates. Other Directors may also put themselves forward.

See paragraph 10.1. Portions of subparagraph 12.1.2 in green are contained in paragraph 10.1 in the current By-Law. Portions in

12.1.2 The election of the Chair shall be conducted in the following manner:

Reassigned from 10.1 with updated terms.
<table>
<thead>
<tr>
<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tbody>
<tr>
<td>blue are new. They reflect changes in defined terms and housekeeping items, as well as new procedural matters.</td>
<td>(a) The chair of the Governance Committee shall announce those who are willing to serve as and are qualified to be Chair.</td>
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<td></td>
<td>(b) The chair of the Governance Committee shall call for further interest from the floor, and those additional Directors who are interested in running for Chair shall be added as candidates for election.</td>
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<td></td>
<td>(c) If there is more than one (1) candidate, an election shall be held using electronic voting methods.</td>
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<td></td>
<td>(d) The candidate receiving the overall majority of votes cast will be elected. If there are three (3) or more candidates and no candidate has received an overall majority of votes, the candidate who received the fewest votes will be removed from the ballot and the vote will be repeated until there are two (2) candidates remaining. The vote will then be repeated until one (1) of the candidates has an overall majority of votes. If three (3) votes result in a tie, the result will be determined by lot by the outgoing Chair.</td>
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<td></td>
<td>12.1.3 The procedure outlined in subparagraph 12.1.2 will then be repeated for the office of Vice-Chair.</td>
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<td></td>
<td>12.1.4 The Board shall elect the remaining members of the Executive Committee, in accordance with the composition requirements in paragraph 9.2. The election will be conducted in the following manner:</td>
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<tr>
<td></td>
<td>(a) The chair of the Governance Committee shall announce those who are willing to serve as and are qualified to be on the Executive Committee.</td>
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<tr>
<td></td>
<td>(b) The chair of the Governance Committee shall call for further interest from the floor, and those additional Directors who are interested in running for open positions on the Executive Committee shall be added as candidates for election.</td>
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<tr>
<td>See subparagraph 8.9.4. Portions of subparagraph 12.1.4 in green are contained in subparagraph 8.9.4 in the current By-Law. Portions in blue are new.</td>
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</table>
(c) Should there be only one (1) candidate who is an Elected Director, such candidate shall be declared appointed.

(d) Should the number of candidates who are Public Directors match the number of open positions on the Executive Committee for Public Directors in accordance with paragraph 9.2, such candidates shall be declared appointed.

(e) Should the number of candidates in either category exceed the number of open positions in that category, an election shall be held following the procedure in subparagraph 12.1.2(c). Should there be more than one (1) open position in a category, Directors shall mark their ballots for up to the number of candidates that matches the number of open positions in the category. The candidate who receives the fewest votes will then be removed from the ballot, and the voting will continue until the number of candidates remaining matches the number of open positions in the category, and such candidates shall be declared appointed. Directors may only cast one (1) vote per candidate on each ballot.

ARTICLE 13 - APPOINTMENTS TO COMMITTEES

See paragraph 8.9. Portions of paragraph 13.1 in green are contained in paragraph 8.9 in the current By-Law. Portions in blue are new.

13.1 Appointments to Statutory and Standing Committees.

13.1.1 All Statutory Committee and standing Committee appointments, with the exception of the Executive Committee and the Screening Committee, shall be made by the Board in accordance with this paragraph 13.1 at the first regular meeting of the Board after each annual August election, and shall be for a term that expires at the first regular meeting of the Board after the following election.

13.1.2 At the first regular meeting of the Board after each annual August election, the Governance Committee shall present to the Board a slate of candidates for all Committees.

Housekeeping procedure.
<table>
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<th>Existing Clause</th>
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<th>Rationale</th>
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<td>other than the Executive Committee and the Screening Committee.</td>
<td>13.1.3. For each Committee to be formed at the first regular meeting of the Board after each annual August election except for the Executive Committee, the Board shall pass a resolution approving the slate, subject to any amendments by Board resolution. Once approved, each candidate on the slate shall be deemed to have been appointed to that Committee.</td>
<td>None. See the nomination process for chairs contained in subparagraph 8.9.5 in the current By-Law.</td>
</tr>
<tr>
<td>None.</td>
<td>13.2. Appointment of Screening Committee.</td>
<td>Members of Committees will now select a chair from among themselves, rather than one being appointed.</td>
</tr>
<tr>
<td>None. See the nomination process for chairs contained in subparagraph 8.9.5 in the current By-Law.</td>
<td>13.3. Committee Chairs</td>
<td></td>
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<tr>
<td></td>
<td>13.3.1. Following their formation, each Statutory Committee and standing Committee other than the Governance Committee, the Drug Preparation Premises Committee and the Executive Committee, shall select from among its members a chair of the Committee.</td>
<td></td>
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</table>

**ARTICLE 14 - COMMITTEE PROCEDURES**

See subparagraph 8.10.2. Portions of subparagraph 14.1.2 in green are contained in subparagraph 8.10.1 in the current By-Law. They reflect changes in defined terms and housekeeping items, as well as new grounds for disqualification. | 14.1.2. The Board may disqualify a member of a Committee from sitting on the Committee if the member: |  |
<p>| | (a) fails, without cause, to attend the orientation of members of Committees or three (3) consecutive meetings of the Committee or of a subcommittee of which he or she is a member; |  |
| | (b) fails, without cause, to attend a scheduled hearing or review conducted by a panel to which he or she was appointed; |  |</p>
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<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<tr>
<td>(c) repeatedly fails to make himself or herself available to participate in meetings or panels of a Committee or Committees on which the member sits;</td>
<td>(c) repeatedly fails to make himself or herself available to participate in meetings or panels of a Committee or Committees on which the member sits;</td>
<td></td>
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<tr>
<td>(d) ceases to either practise or reside in Ontario;</td>
<td>(d) ceases to either practise or reside in Ontario;</td>
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<tr>
<td>(e) is in default of payment of any fees prescribed in the By-Laws;</td>
<td>(e) is in default of payment of any fees prescribed in the By-Laws;</td>
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<tr>
<td>(f) becomes an employee, officer or director of a Professional Advocacy Association (however, for greater certainty, a member of a Committee will not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Board as a representative of the College);</td>
<td>(f) becomes an employee, officer or director of a Professional Advocacy Association (however, for greater certainty, a member of a Committee will not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Board as a representative of the College);</td>
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<tr>
<td>(g) breaches the provisions of the By-Laws, including the Schedules to the By-Laws, or the policies and procedures of the College in force at the relevant time;</td>
<td>(g) breaches the provisions of the By-Laws, including the Schedules to the By-Laws, or the policies and procedures of the College in force at the relevant time;</td>
<td></td>
</tr>
<tr>
<td>(h) in the case of a Director who sits on a Committee, ceases to be a Director;</td>
<td>(h) in the case of a Director who sits on a Committee, ceases to be a Director;</td>
<td></td>
</tr>
<tr>
<td>(i) in the case of a Professional Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.1.2; or</td>
<td>(i) in the case of a Professional Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.1.2; or</td>
<td></td>
</tr>
<tr>
<td>(j) in the case of a Lay Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.2.2.</td>
<td>(j) in the case of a Lay Committee Appointee, no longer meets the eligibility requirements specified in subparagraph 11.2.2.</td>
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</tbody>
</table>

See subparagraphs 8.10.3-8.10.6. Portions of subparagraph 14.1.3-14.1.6 in green are contained in subparagraphs 8.10.3-8.10.6 in the current By-Law. They reflect changes in defined terms and housekeeping items, as well as new procedural matters.

14.1.3 A person who is disqualified under subparagraph 14.1.1 or 14.1.2 from sitting on a Committee is thereby removed from the Committee and ceases to be a member of the Committee and, subject to subparagraph 14.1.5, the Chair shall appoint a successor as soon after the disqualification as is feasible.

14.1.4 The term of office of a person who is appointed as a successor to a Committee member under subparagraph 14.1.3

Reassigned from 8.10.
Existing Clause | Proposed New Clause | Rationale
--- | --- | ---
will commence upon the appointment and continue until the term of office of the member of the Committee who is being replaced would have expired.

14.1.5 A vacancy in the membership or chair of a Committee shall be filled by appointment made by the Chair. In the case of a vacancy in the membership of a Committee, the Chair shall consult with the chair of the Committee before making the appointment.

14.1.6 Nothing in paragraph 14.1 prevents the Board, or the Executive Committee acting on its behalf, from adding members to or substituting members on a Committee at any time where one (1) or more members of the Committee cannot fulfill their role.

ARTICLE 11 - BUSINESS OF THE COLLEGE

11.2 Execution of Documents.

11.2.1 Deeds, mortgages, conveyances, powers of attorney, transfers and assignments of property of all kinds including without limitation transfers and assignment of shares, warrants, bonds, debentures or other securities (collectively the “instruments”) may be signed on behalf of the College by the President or Vice-President and any one (1) of the Registrar, the Deputy Registrar, the Director of Conduct, the Director, Corporate Services, or the Director of Quality, provided that they have been signed in accordance with any policy of the College regarding the execution of instruments then in effect, and further provided that no individual shall execute, acknowledge, or verify any instrument in more than one capacity. All instruments so signed shall be binding upon the College without any further authorization or formality. In addition, the Council may from time to time direct by resolution the manner in which, and the person or persons by whom, any particular instrument or class of instruments may or shall be executed.

11.2.2 Execution of Documents.

11.2.2.1 Deeds, mortgages, conveyances, powers of attorney, transfers and assignments of property of all kinds including without limitation transfers and assignment of shares, warrants, bonds, debentures or other securities (collectively the “instruments”) may be signed on behalf of the College by the President or Vice-President and any one (1) of the Registrar, the Deputy Registrar, the Director of Conduct, the Director, Corporate Services, or the Director of Quality, provided that they have been signed in accordance with any policy of the College regarding the execution of instruments then in effect, and further provided that no individual shall execute, acknowledge, or verify any instrument in more than one capacity. All instruments so signed shall be binding upon the College without any further authorization or formality. In addition, the Council may from time to time direct by resolution the manner in which, and the person or persons by whom, any particular instrument or class of instruments may or shall be executed.

To reflect the change in the defined terms of Director of Conduct, the Director, Corporate Services, and Director of Quality.
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<th>Existing Clause</th>
<th>Proposed New Clause</th>
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<td>signed. Any signing officer may affix the corporate seal thereto. 11.2.2 Certificates of Registration shall be signed by the President and the Registrar. 11.2.3 Contracts may be signed on behalf of the College in accordance with any policy of the Finance and Audit Committee regarding the execution of such contracts. 11.2.4 The signature of any individual, authorized to sign on behalf of the College may be written, printed, stamped, engraved, lithographed or otherwise mechanically reproduced or may be an electronic signature. Anything so signed shall be as valid as if it had been signed manually, even if that individual has ceased to hold office when anything so signed is issued or delivered, until the individual’s authorization to sign on behalf of the College is revoked by resolution of the Council.</td>
<td>Council Board may from time to time direct by resolution the manner in which, and the person or persons by whom, any particular instrument or class of instruments may or shall be signed. Any signing officer may affix the corporate seal thereto. 115.2.2 Certificates of Registration shall be signed by the President Chair and the Registrar. 115.2.3 Contracts may be signed on behalf of the College in accordance with any policy of the Finance and Audit Committee regarding the execution of such contracts. 115.2.4 The signature of any individual, authorized to sign on behalf of the College may be written, printed, stamped, engraved, lithographed or otherwise mechanically reproduced or may be an electronic signature. Anything so signed shall be as valid as if it had been signed manually, even if that individual has ceased to hold office when anything so signed is issued or delivered, until the individual’s authorization to sign on behalf of the College is revoked by resolution of the Board Council.</td>
<td>To reflect the change in the defined terms of Director of Conduct, the Director, Corporate Services, and Director of Quality, and the amendments to the role of the Executive Committee.</td>
</tr>
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</table>

11.3 Banking and Finance.
11.3.1 The banking business of the College shall be transacted with such chartered banks, trust companies or other financial institutions, as may, from time to time, be designated by or under the authority of the Council on recommendation of the Finance and Audit Committee through the Executive Committee. All such banking business, or any part thereof, shall be transacted on the College’s behalf by one or more officers and or other persons as Council may designate, direct, or authorize, from time to time, by resolution and to the extent therein provided.

11.3.2 Cheques drawn on the bank, trust or other similar accounts of the College, drafts drawn or accepted by the College, promissory notes given by it, acceptances, bills of exchange, bonds and other negotiable instruments, letters of credit, and other documents of title, shall be drawn, issued, executed, delivered, or otherwise disposed of as may from time to time be provided by the Council Board; and the Banker shall be entitled to rely upon such instructions. To be signed in the name of the College by such person or persons as the Council Board may designate, direct, or authorize, from time to time, by resolution and to the extent therein provided.
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<td>exchange, orders for the payment of money and other instruments of a like nature, may be made, signed, drawn, accepted or endorsed, as the case may be, any two (2) of the Registrar, the Deputy Registrar, the Director of Conduct, the Director, Corporate Services and the Director of Quality, provided however that no individual shall execute, acknowledge, or verify any instrument in more than one capacity.</td>
<td>exchange, orders for the payment of money and other instruments of a like nature, may be made, signed, drawn, accepted or endorsed, as the case may be, by any two (2) of the Registrar, the Deputy Registrar, the Director of Conduct, the Director, Corporate Services and the Director of Quality and the persons holding the positions of director of conduct, director of corporate services, and director of quality, or their equivalent, provided however that no individual shall execute, acknowledge, or verify any instrument in more than one (1) capacity.</td>
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**11.5 Inspectors/Practice Advisors.** The Registrar may from time to time, and within budgetary limits, appoint Inspectors for the purposes of the Drug and Pharmacies Regulation Act, any such appointment to be reported to the Executive Committee and to the Council at the next regular meeting following the appointment. Inspectors so appointed shall have such authority and shall perform such duties as are set out in the Drug and Pharmacies Regulation Act and such additional duties as may be prescribed by the Registrar.  

**11.8 Funds.**  
11.8.1 The disbursement of funds of the College shall be as authorized in the annual budget approved by Council for the fiscal year upon the recommendation of the Finance and Audit Committee through the Executive Committee. Funds not authorized under the budget shall be disbursed only after approval by the Council, or the Executive Committee, as provided for in this By-Law.  
11.8.2 Investments of surplus funds shall be made in accordance with investment policies in effect from time to time approved by Council on the recommendation of the Finance and Audit Committee through the Executive Committee. The securities of
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<td>the College may be deposited for safekeeping and withdrawn, from time to time,</td>
<td>Committee. The securities of the College may be deposited for safekeeping and withdrawn, from time to time, with one (1) or more</td>
<td>All fee sections (Articles 19-21 in the amended By-Law) now provide that fees will be set out in schedules. This will simplify the administrative work associated with adjusting the fees. The fees will also be adjusted annually in accordance with the consumer price index. See Article 22.</td>
</tr>
<tr>
<td>with one or more chartered banks, trust companies or other financial institutions in accordance with such investment policies.</td>
<td>more chartered banks, trust companies or other financial institutions in accordance with such investment policies.</td>
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**ARTICLE 15 - MEMBER REGISTRANT FEES**

15.1 Application of Fees. Unless otherwise indicated, the fees set out in this Article 15 shall be effective as of January 1, 2019.

15.2 Application and Issuance Fees

15.2.1 Every person, other than a person who already holds a Certificate of Registration, who wishes to apply for a Certificate of Registration of any class, shall pay an initial application fee of $375.00 plus applicable taxes, due and payable immediately upon the College opening a registration file for such person.

15.2.2 Every applicant for a Certificate of Registration of any class shall pay an application fee of $94.00, which shall be due and payable upon the applicant submitting his or her completed application to the Registrar.

15.2.3 The fee for the issuance of a Certificate of Registration as a Pharmacist is the applicable annual fee plus applicable taxes.

15.2.4 The fee for the issuance of a Certificate of Registration as a Pharmacy Technician is the applicable annual fee plus applicable taxes.
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<th>Existing Clause</th>
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<th>Rationale</th>
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<tr>
<td><strong>15.3 Examination Fee.</strong> An applicant for a Certificate of Registration who wishes to write the examination in pharmaceutical jurisprudence approved by the College shall pay an examination fee of $125.00 plus applicable taxes.</td>
<td><strong>159.23 Examination Fee.</strong> An applicant for a Certificate of Registration who wishes to write the examination in pharmaceutical jurisprudence approved by the College shall pay an examination fee of $125.00 plus applicable taxes.</td>
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<tr>
<td><strong>15.4 Annual Fees.</strong></td>
<td><strong>159.24 Annual Fees.</strong></td>
<td></td>
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<tr>
<td>15.4.1 Every person who holds a Certificate of Registration as a Pharmacist and is listed in Part A of the Register shall pay an annual fee of: (i) for the year beginning January 1, 2019, $675.00 plus applicable taxes; and (ii) thereafter, $750.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacist, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.</td>
<td>159.4.1 Every person who holds a Certificate of Registration as a Pharmacist and is listed in Part A of the Register shall pay an annual fee of: (i) for the year beginning January 1, 2019, $675.00 plus applicable taxes; and (ii) thereafter, $750.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacist, if the Certificate of Registration is issued on or after September 1, the fee will be fifty percent (50%) of the annual fee for that year.</td>
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<tr>
<td>15.4.2 Every person who holds a Certificate of Registration as a Pharmacist and is listed in Part B of the Register shall pay an annual fee of: (i) for the year beginning January 1, 2019, $337.50 plus applicable taxes; and (ii) thereafter, $375.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacist, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.</td>
<td>159.4.2 Every person who holds a Certificate of Registration as a Pharmacist and is listed in Part B of the Register shall pay an annual fee of: (i) for the year beginning January 1, 2019, $337.50 plus applicable taxes; and (ii) thereafter, $375.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacist, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.</td>
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<tr>
<td>15.4.3 Every person who holds a Certificate of Registration as a Pharmacy Technician shall pay an annual fee of: (i) for the year beginning January 1, 2019, $450.00 plus applicable taxes; and (ii) thereafter, $500.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacy Technician, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.</td>
<td>159.4.3 Every person who holds a Certificate of Registration as a Pharmacy Technician shall pay an annual fee of: (i) for the year beginning January 1, 2019, $450.00 plus applicable taxes; and (ii) thereafter, $500.00 plus applicable taxes, except that in the year in which the person is first registered as a Pharmacy Technician, if the Certificate of Registration is issued on or after September 1, the fee shall be fifty percent (50%) of the annual fee for that year.</td>
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<tr>
<td>15.4.4 The annual fee must be paid on or before March 10,</td>
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except that in the year in which a person is first registered, if the Certificate of Registration is issued after March 10, the annual fee must be paid on the date the person is registered.

15.4.5 No later than 30 days before the annual fee is due, the Registrar shall notify the Member of the amount of the fee and the day on which the fee is due.

15.4.6 A Pharmacist or Pharmacy Technician who fails to pay an annual fee on or before the day on which the fee is due shall pay a penalty in addition to the annual fee. If the Pharmacist or Pharmacist Technician pays the annual fee:
(a) within thirty (30) days of when it is due, the penalty shall be $125.00 plus applicable taxes; and
(b) thirty-one (31) days or more after it is due, the penalty shall be $188.00 plus applicable taxes.

15.5 Fee to Lift Suspension or for Reinstatement.

15.5.1 Where a Member’s Certificate of Registration has been suspended by the Registrar for failing to pay a required fee, the fee that the Member shall pay for the lifting of the suspension shall be: (a) the fee the Member failed to pay; (b) the annual fee for the year in which the suspension is to be lifted, if the Member has not already paid it; and (c) a penalty of $188.00 plus applicable taxes.

15.5.2 Where a Member’s Certificate of Registration has been suspended by the Registrar pursuant to the Pharmacy Act Regulations, the fee that the Member shall pay for the lifting of the suspension shall be: (a) the annual fee for the year in which the suspension is to be lifted, if the Member has not already paid it; and (b) a penalty of $188.00 plus applicable taxes.

159.45 Fee to Lift Suspension or for Reinstatement.

159.45.1 Where a Member’s Certificate of Registration has been suspended by the Registrar for failing to pay a required fee, the fee that the Member shall pay for the lifting of the suspension shall be: (a) the fee the Member failed to pay; (b) the annual fee for the year in which the suspension is to be lifted, if the Member has not already paid it; and (c) a penalty of $188.00 plus applicable taxes.

159.45.2 Where a Member’s Certificate of Registration has been suspended by the Registrar pursuant to the Pharmacy Act Regulations, the fee that the Member shall pay for the lifting of the suspension shall be: (a) the annual fee for the year in which the suspension is to be lifted, if the Member has not already paid it;
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<th>Proposed New Clause</th>
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<td><strong>15.5.3</strong> The fee that a Member shall pay for the reinstatement of his or her Certificate of Registration shall be $313.00 plus applicable taxes.</td>
<td>and (b) a penalty of $188.00 plus applicable taxes. and (b) a penalty of $188.00 plus applicable taxes.</td>
<td><strong>159.45.3</strong> The fee that a Member (Registrant) shall pay a reinstatement fee for the reinstatement of his or her Certificate of Registration shall be $313.00 plus applicable taxes.</td>
</tr>
<tr>
<td><strong>15.6 Election Recount Fee.</strong> The election recount fee payable by a candidate for election to the Council who requests a recount of the vote shall be $500.00 plus applicable taxes.</td>
<td>Deleted.</td>
<td>Deleted to reflect that there are no recounts with electronic voting.</td>
</tr>
<tr>
<td><strong>15.7 Other Fees.</strong></td>
<td><strong>159.75 Other Fees.</strong></td>
<td><strong>159.75 Other Fees.</strong></td>
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<td><strong>15.7.2</strong> Where, pursuant to the Pharmacy Act Regulations, a member: (a) has undertaken remediation by order of the Quality Assurance Committee; (b) undergoes a practice review by an assessor after the remediation, and is found by the Quality Assurance Committee to continue to have a deficiency in his or her knowledge, skills or judgment that requires correction; and (c) is ordered by the Quality Assurance Committee to undertake a further remediation and a further practice review by an assessor after the further remediation, the member shall pay a fee of $1000.00 plus applicable taxes for each such further practice review by an assessor, and for any additional practice reviews that the member undertakes thereafter.</td>
<td>(a) has undertaken remediation by order of the Quality Assurance Committee; (b) undergoes a practice review by an assessor after the remediation, and is found by the Quality Assurance Committee to continue to have a deficiency in his or her knowledge, skills or judgment that requires correction; and (c) is ordered by the Quality Assurance Committee to undertake a further remediation and a further practice review by an assessor after the further remediation, the member Registrant shall pay a fee of $1000.00 plus applicable taxes for each such further practice review by an assessor, and for any additional practice reviews that the member Registrant undertakes thereafter.</td>
<td><strong>159.76.3</strong> The fee for an Applicant required to undertake the Practice Assessment of Competence at Entry (PACE) a third and/or subsequent time is $1,000.</td>
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<tr>
<td><strong>15.7.3</strong> The fee for an Applicant required to undertake the Practice Assessment of Competence at Entry (PACE) a third and/or subsequent time is $1,000.</td>
<td><strong>159.76.3</strong> The fee for an Applicant required to undertake the Practice Assessment of Competence at Entry (PACE) a third and/or subsequent time is $1,000. shall pay a fee for such assessment(s).</td>
<td><strong>159.76.4</strong> The Registrants who engage in, or supervise, drug preparation activities at a Drug Preparation Premises shall, jointly and severally, be required to pay a fee for the inspection</td>
</tr>
<tr>
<td><strong>15.7.4</strong> The fee for the inspection of a Drug Preparation Premises pursuant to the Pharmacy Act Regulations, including all activities related to the inspection, shall be $3,125.00 plus</td>
<td><strong>159.76.4</strong> The Registrants who engage in, or supervise, drug preparation activities at a Drug Preparation Premises shall, jointly and severally, be required to pay a fee for the inspection</td>
<td><strong>159.76.4</strong> The Registrants who engage in, or supervise, drug preparation activities at a Drug Preparation Premises shall, jointly and severally, be required to pay a fee for the inspection</td>
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<td>Existing Clause</td>
<td>Proposed New Clause</td>
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<td>applicable taxes, and shall be payable, jointly and severally, by those Members who engage in, or supervise, drug preparation activities at the Drug Preparation Premises.</td>
<td>of the Drug Preparation Premises pursuant to the Pharmacy Act Regulations, including all activities related to the inspection, shall be $3,125.00 plus applicable taxes, and shall be payable, jointly and severally, by those Members who engage in, or supervise, drug preparation activities at the Drug Preparation Premises.</td>
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**ARTICLE 16.20 - PHARMACY TRANSACTION FEES**

**16.1 Application of Fees.** Unless otherwise indicated, the fees set out in this Article 16 shall be effective as of January 1, 2019. Deleted. See Article 22.

**16.2 Application Fee.**

16.2.1 Subject to subparagraph 16.2.2, the application fee for a Certificate of Accreditation to establish and operate a pharmacy of the community pharmacy class or hospital pharmacy class shall be $625.00 plus applicable taxes.

16.2.2 Where an Applicant who has acquired two (2) or more existing pharmacies of the community pharmacy class or hospital pharmacy class, applies for Certificates of Accreditation to establish and operate the pharmacies, the application fee shall be $625.00 plus applicable taxes for the first application, and $63.00 plus applicable taxes for each additional application.

**16.3 Issuance Fee.**

16.3.1 Subject to subparagraph 16.3.3, the fee for the issuance of a Certificate of Accreditation shall be:

(a) $938.00 plus applicable taxes if issued between May 10 and November 9 in a given year, and $469.00 plus applicable taxes.

16.3.2 Issuance Fee.

16.3.2.1 Subject to subparagraph 16.3.3, the fee for the issuance of a Certificate of Accreditation shall be:

(a) $938.00 plus applicable taxes if issued between May 10 and November 9 in a given year, and $469.00 plus applicable taxes.
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<th>Existing Clause</th>
<th>Proposed New Clause</th>
<th>Rationale</th>
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<td>taxes if issued between November 10 and May 9 in a given year for a Certificate of Accreditation of the community pharmacy class; and (b) $4,375.00 plus applicable taxes if issued between May 10 and November 9 in a given year, and $2,188.00 plus applicable taxes if issued between November 10 and May 9 in a given year for a Certificate of Accreditation of the hospital pharmacy class.</td>
<td>taxes if issued between November 10 and May 9 in a given year for a Certificate of Accreditation of the community pharmacy class; and (b) $4,375.00 plus applicable taxes if issued between May 10 and November 9 in a given year, and $2,188.00 plus applicable taxes if issued between November 10 and May 9 in a given year for a Certificate of Accreditation of the hospital pharmacy class.</td>
<td>Every successful applicant for a Certificate of Accreditation of the community pharmacy class and the hospital pharmacy class shall pay an issuance fee.</td>
</tr>
<tr>
<td>16.3.2 Subject to subparagraphs 16.3.4, the additional fee for the issuance of a Certificate of Accreditation to establish and operate a community pharmacy that permits the operation of remote dispensing locations, shall be $938.00 plus applicable taxes for each remote dispensing location to be operated.</td>
<td>1620.32.2 Subject to subparagraphs 16.3.4, the additional fee for the issuance of Every successful applicant for a Certificate of Accreditation to establish and operate a community pharmacy that permits the operation of remote dispensing locations, shall be $938.00 plus applicable taxes pay an issuance fee. The fee will apply for each remote dispensing location to be operated, except that there will be no additional fee for the issuance of a Certificate of Accreditation that permits the operation of remote dispensing locations if the Certificate of Accreditation is issued to an Applicant who has acquired or relocated an existing community pharmacy that permits the operation of remote dispensing locations.</td>
<td>There shall be no additional fee for the issuance of a Certificate of Accreditation to establish and operate a pharmacy for an Applicant who has acquired or relocated an existing pharmacy shall be: (a) $1,200.00 plus applicable taxes for a Certificate of Accreditation of the hospital pharmacy class; and (b) $313.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class.</td>
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<tr>
<td>16.3.3 The fee for the issuance of a Certificate of Accreditation to establish and operate a pharmacy for an Applicant who has acquired or relocated an existing pharmacy shall be: (a) $1,200.00 plus applicable taxes for a Certificate of Accreditation of the hospital pharmacy class; and (b) $313.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class.</td>
<td>1620.32.3 The fee for the issuance of a Certificate of Accreditation to establish and operate a pharmacy for an Applicant who has acquired or relocated an existing pharmacy shall be: (a) $1,200.00 plus applicable taxes for a Certificate of Accreditation of the hospital pharmacy class; and (b) $313.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class pay an</td>
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<td>Existing Clause</td>
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<tr>
<td><strong>16.4 Fee for Amended Certificates - Remote Dispensing Locations.</strong></td>
<td><strong>1620.43 Fee for Amended Certificates - Remote Dispensing Locations.</strong></td>
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<tr>
<td>16.4.1 The application fee for an amended Certificate of Accreditation that permits the operation of remote dispensing locations or additional remote dispensing locations shall be $313.00 plus applicable taxes for each remote dispensing location or additional remote dispensing location that is to be operated.</td>
<td><strong>1620.43.1</strong> The application fee for an amended Certificate of Accreditation that permits the operation of remote dispensing locations or additional remote dispensing location(s) shall be $313.00 plus applicable taxes for each remote dispensing location that is to be operated.</td>
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<tr>
<td>16.4.2 The fee for the issuance of an amended Certificate of Accreditation that permits the operation of remote dispensing locations or additional remote dispensing locations shall be $938.00 plus applicable taxes for each remote dispensing location or additional remote dispensing location that is to be operated.</td>
<td><strong>1620.43.2</strong> The fee for the issuance of an amended Certificate of Accreditation that permits the operation of remote dispensing location(s) shall be $938.00 plus applicable taxes for each remote dispensing location that is to be operated.</td>
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<tr>
<td>16.4.3 For greater certainty, subparagraphs 16.4.1 and 16.4.2 shall only apply with respect to the issuance of a Certificate of Accreditation of the community pharmacy class.</td>
<td><strong>20.43.3</strong> For greater certainty, subparagraphs 16.4.1 and 16.4.2 shall only apply with respect to the issuance of a Certificate of Accreditation of the community pharmacy class.</td>
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<tr>
<td><strong>16.5 Renewal Fee.</strong> The fee for the renewal of a Certificate of Accreditation shall be paid on or before May 10 of each year and shall be in the amount of:</td>
<td><strong>1620.54 Renewal Fee.</strong> The fee for the renewal of a Certificate of Accreditation shall be paid on or before May 10 of each year and shall be in the amount of:</td>
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<tr>
<td>(a) $1,175.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class; and</td>
<td>(a) $1,175.00 plus applicable taxes for a Certificate of Accreditation of the community pharmacy class; and</td>
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<tr>
<td>(b) $4,375.00 plus applicable taxes for a Certificate of Accreditation of the hospital pharmacy class.</td>
<td>(b) $4,375.00 plus applicable taxes for a Certificate of Accreditation of the hospital pharmacy class.</td>
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<td>Proposed New Clause</td>
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<tr>
<td>Every person who holds a Certificate of Accreditation of the community pharmacy class or a Certificate of Accreditation of the hospital pharmacy class shall pay the applicable renewal fee on or before May 10 each year.</td>
<td><strong>Proposed New Clause:</strong> 16.6 Additional Renewal Fee. The additional renewal fee for the renewal of a Certificate of Accreditation for each pharmacy that, within the twelve (12) months prior to the renewal, has undergone a re-inspection as a result of deficiencies noted in an initial inspection, for a third time or more after the initial inspection, shall be $1,250.00 plus applicable taxes for each such re-inspection, and shall be paid on or before May 10 of each year. The additional renewal fee shall not apply where the re-inspection was pursuant to an order of the Discipline Committee.</td>
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**ARTICLE 17 - CERTIFICATE OF AUTHORIZATION FEES**

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<tr>
<th>Clause Number</th>
<th>Section</th>
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<tbody>
<tr>
<td>17.1</td>
<td>Application of Fees</td>
<td>Unless otherwise indicated, the fees set out in this Article 17 shall be effective as of January 1, 2019. Deleted. See Article 22.</td>
</tr>
<tr>
<td>17.2</td>
<td>Application Fee</td>
<td>The application fee for a Certificate of Authorization for a health profession corporation is $1,250.00 plus applicable taxes. 17.2.1 Application Fee. The application fee for a Certificate of Authorization for a health profession corporation is $1,250.00 plus applicable taxes. An applicant for a Certificate of Authorization shall pay an application fee. 17.3 Renewal Fee. 17.3.1 The fee for the annual renewal of a Certificate of Authorization is $375.00 plus applicable taxes. 17.3.2 The annual renewal fee for a Certificate of Authorization is $375.00 plus applicable taxes. Every Health Profession Corporation that holds a Certificate of Authorization shall pay the applicable taxes and renewal fee each year.</td>
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## Existing Clause

must be paid on or before March 10 of each year.

17.3.3 No later than thirty (30) days before the annual renewal fee is due, the Registrar shall notify the health profession corporation of the amount of the fee and the day on which it is due.

## Proposed New Clause

17.21.32.1 The annual renewal fee for a Certificate of Authorization must be paid on or before March 10 of each year.

17.21.32.3 No later than thirty (30) days before the annual renewal fee is due, the Registrar shall notify the health profession corporation of the amount of the fee and the day on which it is due.

## Rationale

All fees (Articles 19-21 in the amended By-Law) are now in a schedule. This will simplify the administrative work associated with adjusting the fees. The fees will also be adjusted in accordance with the consumer price index.

### ARTICLE 22 - APPLICATION OF FEES

15.1 Application of Fees. Unless otherwise indicated, the fees set out in this Article 15 shall be effective as of January 1, 2019.

15.2 Application of Fees.

19.1.1 Unless otherwise indicated, the fees and penalties set out in Article 19, Article 20, Article 21 and Schedule D shall be effective as of January 1, 2019 the date set out in Schedule D.

19.1.2 The fees and penalties prescribed in Article 19, Article 20 and Article 21 are set out in Schedule D. All fees and penalties are subject to applicable taxes, which are payable in addition to the fees and penalties.

19.1.3 On January 1 of each year commencing in 2021, each fee prescribed in Article 19, Article 20, and Article 21, and listed in Schedule D, will be increased by the percentage increase, if any, in the consumer price index for goods and services in Canada as published by Statistics Canada or any successor organization.

### ARTICLE 18 CODE OF ETHICS AND CONDUCT

18.1 Code of Ethics. There shall be a Code of Ethics for Members, which is Schedule A to this By-Law.

18.2 Code of Conduct. There shall be a Code of Conduct for members of the Council and of Committees, which is Schedule B to this By-Law.
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<td>members of the Council and of Committees, which is Schedule B to this By-Law.</td>
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**ARTICLE 19.24 - MAKING, AMENDING AND REVOKING BY-LAWS**

19.2 Repeal of Former By-Laws. The repeal of any By-Law in whole or part shall not in any way affect the validity of any act done or right, privilege, obligation or liability acquired or incurred thereunder or the validity of any contract or agreement made pursuant to any such By-Law prior to such repeal. All members of the Council and other persons acting under any By-Law so repealed in whole or in part shall continue to act as if elected or appointed under the provisions of this By-Law.

**SCHEDULE B THE “CODE OF CONDUCT” FOR COUNCIL DIRECTORS AND COMMITTEE MEMBERS**

Members of Council and Committees will:

- ...
- (d) regularly attend meetings on time (including not missing three (3) or more consecutive meetings without reasonable cause) and participate constructively in discussions

**SCHEDULE D SCHEDULE OF FEES**

None. See new schedule.
COUNCIL BRIEFING NOTE
MEETING DATE: DECEMBER 2019

FOR DECISION X FOR INFORMATION

INITIATED BY: Finance and Audit Committee (FAC)

TOPIC: 2020 Operating and Capital Budget

ISSUE: Approval of the 2020 Operating and Capital Budget

PUBLIC INTEREST RATIONALE: The College has been granted the authority to self-regulate the profession in the public interest. The objectives of the College are prescribed in legislation and each year priorities are set and activity planned to meet those objectives. Fees are collected from the profession to fund those activities. The operating and capital budget are a numerical reflection of the operating plan, setting out how the available funds are allocated to the various programs and services that ensure that the profession adheres to high standards aimed at providing quality care to the patients of Ontario.

BACKGROUND:

- Substantial expense increases in 2019 prompted a 25% increase to fees. The increase to Registrant renewal fees was spread over two years with the first 12.5% effective January 2019 and the remaining 12.5% effective January 2020. The shortfall of revenue over expenses was drawn from reserves.

- The impact of the second phase of registrant fee increases and general growth in membership will result in an additional $2.5 million in revenue for 2020. The need for significant fee increases in the future will be mitigated by a council approved intention to increase fees equal to the Consumer Price Index annually beginning in 2021. This expectation is incorporated into by-law revisions currently before Council.

- Based on projected expenditures for 2019, the College reserves, restricted and unrestricted, will total $8.1 million or approximately four months operating expenses.

- Investment in programs and resources for 2020 was assessed to find a balance between delivering on the objectives in the Operating Plan as reflected on the Council scorecard, and the desire to be fiscally responsible.

ANALYSIS:

- The College continues to examine its work processes to find efficiencies thereby minimizing the need for adding resources to address growing demand.

- The establishment of an in-house legal team is expected to deliver savings as the program matures by reducing the reliance on external counsel.

- Risk based regulation concepts and improved data management underpin the regulatory program strategies.

- The 2020 budget delivers a breakeven position with revenue equaling operating and capital expenditures.
• Reserve values are sufficient to respond to unforeseen expenditures not provided for in the budget.

• The attached Executive Summary and budget schedules outline the focused spending for the coming year.

RECOMMENDATION: That Council approve the attached 2020 Operating and Capital Budget.
Ontario College of Pharmacists
Projected 2019 Financial Performance and
Proposed 2020 Budget

Review of Projected 2019

Revenue is projected to come in within a half percentage point of budget, whereas expenses are projected to come within 1.4% of budget overall. The net impact is a projected deficit of $1.6 million compared with a budgeted deficit of $1.2 million.

Committee expenses will generally be in line with budget with the exception of Special Committees wherein expenses related to governance reform are captured. Council’s commitment to governance reform was affirmed last December subsequent to approval of the 2019 budget, therefore significantly higher costs were incurred for legal support than had been provided for in the budget.

Personnel costs are expected to be within 1.2% of budget as efforts are being made to fully utilize the funds allocated across the organization to areas where the greatest value will be realized while the impacts of organizational restructuring continue to evolve.

Cost for administering the regulatory programs will exceed budget due primarily to a spike in external prosecution costs associated with a handful of unique cases that contributed to a doubling of the number of hearing days over the previous year. It is noteworthy to add that cost recovery increased when compared to prior years albeit not in the same proportion as prosecution costs. The projected overrun in prosecution costs is somewhat offset by an underrun in practice initiative expenses as budgeted external expenses associated with moving the initiatives forward were not required.

Costs for College operations are projected to come in 6.5% below budget primarily due to continued tenancy of the top two floors of the 186 St. George property contrary to what was contemplated in the budget. Higher than anticipated bank charges will be offset by savings in travel costs as fewer site based practice assessments were conducted.

Overview of 2020 Operating Budget

The budget is built to deliver on the objectives in the Strategic Framework developed by Council in the spring of 2018 and further articulated in the 2020 Operational Plan reviewed by Council in September of this year. The Strategic Priorities identified by Council include:

1) Enhancing system and patient outcomes through collaboration and optimization of current scope of practice;
2) Strengthen trust and confidence in the College’s role and value as a patients-first regulator; and
3) Enhance the College’s capacity to address emerging opportunities and advance quality and safe pharmacy practice and regulatory excellence.

Where practical, emphasis on the various initiatives is being approached in a phased manner to distribute expenses over a number of years to balance delivery of objectives with the goal of being fiscally responsible.
Expenses

Overview

2019 marked a reset of our priorities and approach anchored by the updated Strategic Plan. The 2020 budget does not introduce any new concepts or areas of attention; it focuses instead on further developing initiatives introduced the previous year to improve on performance indicators. Initiatives that call for additional resources are the separation of practice and operational assessments, and building our in-house prosecutorial and discipline decision editing capacity. Rollout of the governance reform framework and public engagement will also be areas of focus throughout 2020.

Schedules

The following schedules are appended following this Executive Summary

- Summary Budget 2020
- Schedule A – Council and Committee expenses
- Schedule B – Personnel expenses
- Schedule C – Regulatory Program expenses
- Schedule D – Operation expenses
- Schedule E – Revenue

Schedule A – Council and Committee expenses

Schedule A reflects the costs of Council and committee activities as well as external legal or specialized expertise. The budget was prepared on the assumption that the new remuneration model agreed to as part of governance reform will take effect the first day of the new Council year in September 2020. Accordingly, the change in remuneration will have limited impact on 2020 expenses. Costs for independent legal counsel to support panels of the Discipline Committee will remain constant despite a higher caseload as additional staff resource is budgeted to support the decision editing process. Ongoing legal services to support implementation of the governance reform framework is expected throughout the year.

Schedule B – Personnel

The 2020 salary budget reflects the addition of five new staff with hiring dates staggered throughout the year. The additions relate to solidifying new assessment teams with a distinct focus on community and hospital operations and registrant practice. In the Conduct division, support for the investigative process, discipline decision editing and in-house prosecutions are planned. A provision of 3% of current year salary is provided for a combination of cost-of-living adjustment (COLA), merit and equity adjustments given the current cost performance index (CPI) of 1.8%.

Work continues on CQI (continuous quality improvement) initiatives to examine how workflows can be streamlined to deliver greater efficiency. To maintain momentum on improved performance outcomes in the current year, temporary/contract personnel added in 2019 will be retained throughout 2020.
Benefit costs will increase proportionate to salary costs and include a provision for premium increases for employee group benefits.

Schedule C – Regulatory Programs

Regulatory program costs are budgeted to decline in 2020 by approximately $600,000. The anticipated savings are attributed to legal costs for prosecutions and fees for the medication error reporting program - AIMS (Assurance and Improvement in Medication Safety). The budgeted reduction in prosecution costs relates to an expectation that some of the unique cases experienced in 2019 will not recur 2020 and more predictability in the streaming of cases to in-house council now that criteria/processes are better defined. As the currency of caseload increases, the ability to predict costs will improve. The reduction in the Practice Initiative budget is due to the fact that an on-boarding fee for rollout of the AIMS program across all 4,500 pharmacies was paid in 2019 but will not be repeated in 2020. The budget provides for approximately 200 new pharmacies to be on-boarded in 2020.

Schedule D – Operations

Operations costs will increase by approximately 10% over 2019 projections. Bank charges will increase as revenue increases due to the 12.5% increase in registrant renewal fees. Non-routine building maintenance accounts for the increase in property expenses and further external testing of our IT environment is budgeted for next year. Travel costs will increase as the facility and registrant assessments are separated into distinct teams.

Capital

The space redesign project budgeted in 2019 was deferred to 2020 following a more in-depth review of employee needs/wants and the impact of the office environment on employee engagement and satisfaction; this is particularly important in our teleworking environment. The redesign project will increase seating density in the 483 Huron property and basement of the St. George property enabling us to continue to offset overall property costs through rental income from the top two floors of 186 St. George. Replenishment of computer hardware including laptops, desktops and servers as well as software license upgrades is budgeted in the technology area.

Revenue - Schedule E

The budget includes the second half of the registrant fee increase approved by Council last year.

Budgeted Profit or Loss

Expenses were aligned with revenue to deliver a breakeven budget after operating and capital.

Reserves

The College’s restricted reserves at year end 2018 totaled $9.3 million with a further $400,000 in unrestricted. The loss after operating and capital expenditures for 2019 will be drawn from reserves bringing reserve values at the start of 2020 to $8.1 million.
# Ontario College of Pharmacists

## Summary - Budget 2020

<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>REVENUE</strong></td>
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<tr>
<td>&quot;Schedule E&quot;</td>
<td>20,590,046</td>
<td>20,706,865</td>
<td>23,110,699</td>
<td>(116,819) -0.56%</td>
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<td><strong>EXPENDITURES</strong></td>
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<tr>
<td>Schedule &quot;A&quot; - Council &amp; Committee Expenses</td>
<td>731,949</td>
<td>684,600</td>
<td>780,636</td>
<td>47,349 6.92%</td>
<td>96,036 14.03%</td>
<td>48,688 6.65%</td>
</tr>
<tr>
<td>Schedule &quot;B&quot; - Personnel</td>
<td>14,965,055</td>
<td>15,147,966</td>
<td>15,983,316</td>
<td>(182,911) -1.21%</td>
<td>835,350 5.51%</td>
<td>1,018,261 6.80%</td>
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<tr>
<td>Schedule &quot;C&quot; - Regulatory Programs</td>
<td>4,158,294</td>
<td>3,587,327</td>
<td>3,559,800</td>
<td>570,967 15.92%</td>
<td>(27,527) -0.77%</td>
<td>(598,494) -14.39%</td>
</tr>
<tr>
<td>Schedule &quot;D&quot; - Operations</td>
<td>1,903,093</td>
<td>2,035,388</td>
<td>2,087,665</td>
<td>(132,295) -6.50%</td>
<td>52,277 2.57%</td>
<td>184,571 9.70%</td>
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<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td>21,758,390</td>
<td>21,455,281</td>
<td>22,411,416</td>
<td>303,109 1.41%</td>
<td>956,135 4.46%</td>
<td>653,026 3.00%</td>
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<tr>
<td><strong>EXCESS OF REVENUE OVER EXPENDITURES</strong></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td>(1,168,345)</td>
<td>(748,416)</td>
<td>699,283</td>
<td>(419,929) -56.11%</td>
<td>1,447,699 193.44%</td>
<td>1,867,627 159.85%</td>
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<tr>
<td>Capital Expenditures</td>
<td>422,272</td>
<td>421,050</td>
<td>676,445</td>
<td>1,222 0.29%</td>
<td>255,395 60.66%</td>
<td>254,173 60.19%</td>
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<tr>
<td>Surplus (Deficit) After Capital Expenditures</td>
<td>(1,590,616)</td>
<td>(1,169,466)</td>
<td>22,838</td>
<td>(421,150) -36.01%</td>
<td>1,192,304 101.95%</td>
<td>1,613,454 101.44%</td>
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</table>
### SCHEDULE A

**Council & Committee Expenses**

<table>
<thead>
<tr>
<th></th>
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<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Council</strong></td>
<td>92,000</td>
<td>110,000</td>
<td>95,000</td>
<td>(18,000) -16.36%</td>
<td>(15,000) -13.64%</td>
<td>3,000 3.26%</td>
</tr>
<tr>
<td><strong>Committees:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accreditation</td>
<td>9,513</td>
<td>12,000</td>
<td>13,893</td>
<td>(2,488) -20.73%</td>
<td>1,893</td>
<td>4,381 46.05%</td>
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<tr>
<td>DPP</td>
<td>5,618</td>
<td>2,000</td>
<td>7,248</td>
<td>3,618 180.90%</td>
<td>5,248</td>
<td>1,630 29.01%</td>
</tr>
<tr>
<td>Discipline</td>
<td>338,012</td>
<td>343,000</td>
<td>345,600</td>
<td>(4,988) -1.45%</td>
<td>2,600</td>
<td>7,588 2.24%</td>
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<tr>
<td>Executive</td>
<td>10,000</td>
<td>15,000</td>
<td>10,000</td>
<td>(5,000) -33.33%</td>
<td>(5,000) -33.33%</td>
<td>0 0.00%</td>
</tr>
<tr>
<td>Finance &amp; Audit</td>
<td>2,000</td>
<td>5,000</td>
<td>5,300</td>
<td>(3,000) -60.00%</td>
<td>300</td>
<td>3,300 165.00%</td>
</tr>
<tr>
<td>Fitness to Practice</td>
<td>11,100</td>
<td>16,000</td>
<td>18,100</td>
<td>(4,900) -30.63%</td>
<td>2,100</td>
<td>7,000 63.06%</td>
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<tr>
<td>ICRC</td>
<td>109,000</td>
<td>95,000</td>
<td>121,620</td>
<td>14,000 14.74%</td>
<td>26,620</td>
<td>12,620 11.58%</td>
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<tr>
<td>Patient Relation</td>
<td>38,000</td>
<td>39,000</td>
<td>65,125</td>
<td>(1,000) -2.56%</td>
<td>26,125</td>
<td>27,125 71.38%</td>
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<tr>
<td>Quality Assurance</td>
<td>18,146</td>
<td>14,000</td>
<td>16,525</td>
<td>4,146 29.61%</td>
<td>2,525</td>
<td>7,041 63.06%</td>
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<tr>
<td>Registration</td>
<td>13,560</td>
<td>23,600</td>
<td>16,225</td>
<td>(10,040) -42.54%</td>
<td>(7,375) -31.25%</td>
<td>2,665 19.65%</td>
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<tr>
<td>Special Committees</td>
<td>85,000</td>
<td>10,000</td>
<td>66,000</td>
<td>75,000 750.00%</td>
<td>56,000</td>
<td>(19,000) -22.35%</td>
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<tr>
<td><strong>Total Committees</strong></td>
<td>639,949</td>
<td>574,600</td>
<td>685,636</td>
<td>65,349 11.37%</td>
<td>111,036</td>
<td>45,688 7.14%</td>
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<tr>
<td><strong>Total Council and Committee</strong></td>
<td>731,949</td>
<td>684,600</td>
<td>780,636</td>
<td>47,349 6.92%</td>
<td>96,036</td>
<td>48,688 6.65%</td>
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## SCHEDULE B

### Personnel

<table>
<thead>
<tr>
<th></th>
<th>2019 Projected</th>
<th>2019 Budget</th>
<th>2020 Budget</th>
<th>2020 Budget $</th>
<th>%</th>
<th>2019 Budget $</th>
<th>%</th>
<th>2020 Budget $</th>
<th>%</th>
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</thead>
<tbody>
<tr>
<td><strong>Salaries</strong></td>
<td>12,250,185</td>
<td>12,305,061</td>
<td>13,053,567</td>
<td>(54,876)</td>
<td>-0.45%</td>
<td>748,506</td>
<td>6.08%</td>
<td>803,382</td>
<td>6.56%</td>
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<td><strong>Benefits</strong></td>
<td>2,310,274</td>
<td>2,356,630</td>
<td>2,461,956</td>
<td>(46,356)</td>
<td>-1.97%</td>
<td>105,326</td>
<td>4.47%</td>
<td>151,682</td>
<td>6.57%</td>
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<tr>
<td><strong>Other Personnel</strong> (Education, training, professional dues)</td>
<td>404,597</td>
<td>486,275</td>
<td>467,793</td>
<td>(81,678)</td>
<td>-16.80%</td>
<td>(18,482)</td>
<td>-3.80%</td>
<td>63,196</td>
<td>15.62%</td>
</tr>
<tr>
<td><strong>Total Personnel Costs</strong></td>
<td>14,965,055</td>
<td>15,147,966</td>
<td>15,983,316</td>
<td>(182,911)</td>
<td>-1.21%</td>
<td>835,360</td>
<td>5.51%</td>
<td>1,018,261</td>
<td>6.80%</td>
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*Council - December 9, 2019
Appendix 11.2*
## SCHEDULE C
### Regulatory Programs

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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Association Fees - NAPRA</td>
<td>132,769</td>
<td>139,000</td>
<td>136,000</td>
<td>(6,231)</td>
<td>-4.48%</td>
<td>(3,000)</td>
<td>3,231</td>
<td>2.43%</td>
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<td>Communication Initiatives</td>
<td>149,319</td>
<td>132,900</td>
<td>179,900</td>
<td>(4,000)</td>
<td>-57.14%</td>
<td>(2,000)</td>
<td>2,000</td>
<td>66.67%</td>
</tr>
<tr>
<td>Consulting - Regulatory</td>
<td>3,000</td>
<td>7,000</td>
<td>5,000</td>
<td>(32,000)</td>
<td>-91.43%</td>
<td>(32,000)</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Donations, Contributions and Grants - partnerships</td>
<td>3,000</td>
<td>35,000</td>
<td>3,000</td>
<td>(1,000)</td>
<td>-100.00%</td>
<td>1,000</td>
<td>100.00%</td>
<td>2,000</td>
</tr>
<tr>
<td>DPP Inspection Costs</td>
<td>0</td>
<td>1,000</td>
<td>2,000</td>
<td>(7)</td>
<td>-0.14%</td>
<td>7,000</td>
<td>140.00%</td>
<td>7,007</td>
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<tr>
<td>Examinations, Certificates and Registration</td>
<td>162,500</td>
<td>170,000</td>
<td>174,500</td>
<td>(7,500)</td>
<td>-4.41%</td>
<td>4,500</td>
<td>2.65%</td>
<td>12,000</td>
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<tr>
<td>Government Relations</td>
<td>1,150</td>
<td>15,000</td>
<td>0</td>
<td>(13,850)</td>
<td>-92.33%</td>
<td>(15,000)</td>
<td>(1,150)</td>
<td>-100.00%</td>
</tr>
<tr>
<td>HIP/Investigation/Intake Costs</td>
<td>77,624</td>
<td>41,500</td>
<td>76,200</td>
<td>36,124</td>
<td>87.04%</td>
<td>25,000</td>
<td>83.61%</td>
<td>(1,424)</td>
</tr>
<tr>
<td>Legal Conduct</td>
<td>1,614,253</td>
<td>740,000</td>
<td>1,222,000</td>
<td>874,253</td>
<td>118.14%</td>
<td>482,000</td>
<td>65.14%</td>
<td>(392,253)</td>
</tr>
<tr>
<td>Discipline Costs Recovered</td>
<td>(271,575)</td>
<td>(200,000)</td>
<td>(320,000)</td>
<td>(71,575)</td>
<td>-35.79%</td>
<td>(120,000)</td>
<td>(48,425)</td>
<td>-17.83%</td>
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<tr>
<td>Legal - Regulatory</td>
<td>84,850</td>
<td>60,000</td>
<td>85,000</td>
<td>24,850</td>
<td>41.42%</td>
<td>25,000</td>
<td>41.67%</td>
<td>150</td>
</tr>
<tr>
<td>Practice Assessment of Competence to Entry</td>
<td>52,700</td>
<td>51,500</td>
<td>72,300</td>
<td>1,200</td>
<td>2.33%</td>
<td>20,800</td>
<td>40.39%</td>
<td>19,600</td>
</tr>
<tr>
<td>Practice Initiatives</td>
<td>1,955,316</td>
<td>2,099,166</td>
<td>1,686,000</td>
<td>(143,850)</td>
<td>-8.65%</td>
<td>(413,166)</td>
<td>-19.68%</td>
<td>(269,316)</td>
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<td>Professional Development Remediation</td>
<td>10,640</td>
<td>15,500</td>
<td>7,000</td>
<td>(4,860)</td>
<td>-31.35%</td>
<td>(8,500)</td>
<td>-54.84%</td>
<td>(3,640)</td>
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<td>Professional Health Program</td>
<td>103,978</td>
<td>160,000</td>
<td>128,000</td>
<td>(56,022)</td>
<td>-35.01%</td>
<td>(34,000)</td>
<td>-21.25%</td>
<td>22,022</td>
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<td>Quality Assurance - Program Administration Costs</td>
<td>73,777</td>
<td>114,761</td>
<td>92,900</td>
<td>(40,984)</td>
<td>-35.71%</td>
<td>(21,861)</td>
<td>-19.05%</td>
<td>19,123</td>
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<tr>
<td><strong>Total Regulatory Programs</strong></td>
<td><strong>4,158,294</strong></td>
<td><strong>3,587,327</strong></td>
<td><strong>3,559,800</strong></td>
<td><strong>570,967</strong></td>
<td>15.92%</td>
<td><strong>(27,527)</strong></td>
<td><strong>-0.77%</strong></td>
<td><strong>(598,494)</strong></td>
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Council - December 9, 2019
Appendix 11.2
## SCHEDULE D
### Operations

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td></td>
<td>2019</td>
<td>2019</td>
<td>2020</td>
<td>$</td>
<td>%</td>
<td>$</td>
</tr>
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<td>Association Fees - General</td>
<td>15,000</td>
<td>25,000</td>
<td>20,000</td>
<td>(10,000)</td>
<td>-40.00%</td>
<td>(5,000)</td>
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<td>Audit</td>
<td>25,575</td>
<td>24,800</td>
<td>26,400</td>
<td>775</td>
<td>3.13%</td>
<td>1,600</td>
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<tr>
<td>Bank Charges</td>
<td>501,610</td>
<td>421,800</td>
<td>573,322</td>
<td>79,810</td>
<td>18.92%</td>
<td>151,522</td>
</tr>
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<td>Consulting - Operation</td>
<td>84,000</td>
<td>122,500</td>
<td>70,000</td>
<td>(38,500)</td>
<td>-31.43%</td>
<td>(52,500)</td>
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<td>Courier/Delivery</td>
<td>4,678</td>
<td>6,200</td>
<td>6,175</td>
<td>(1,522)</td>
<td>-24.56%</td>
<td>(25)</td>
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<tr>
<td>Donations, Contributions and Grants - Others</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
<td>0</td>
</tr>
<tr>
<td>Information Systems Leasing &amp; Maintenance</td>
<td>335,284</td>
<td>308,780</td>
<td>357,000</td>
<td>26,504</td>
<td>8.58%</td>
<td>48,220</td>
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<td>Insurance - E &amp; O</td>
<td>5,979</td>
<td>6,400</td>
<td>6,219</td>
<td>(421)</td>
<td>-6.58%</td>
<td>(181)</td>
</tr>
<tr>
<td>Legal - Operation</td>
<td>0</td>
<td>7,500</td>
<td>5,000</td>
<td>(7,500)</td>
<td>-100.00%</td>
<td>(2,500)</td>
</tr>
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<td>Niagara Apothecary</td>
<td>35,311</td>
<td>32,430</td>
<td>35,675</td>
<td>2,881</td>
<td>8.88%</td>
<td>3,245</td>
</tr>
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<td>Office Equipment Leasing &amp; Maintenance</td>
<td>30,037</td>
<td>27,500</td>
<td>28,500</td>
<td>2,537</td>
<td>9.23%</td>
<td>1,000</td>
</tr>
<tr>
<td>Postage</td>
<td>25,622</td>
<td>19,000</td>
<td>26,500</td>
<td>6,622</td>
<td>34.85%</td>
<td>7,500</td>
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<td>Property</td>
<td>286,999</td>
<td>387,191</td>
<td>324,787</td>
<td>(100,192)</td>
<td>-25.88%</td>
<td>(62,404)</td>
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<tr>
<td>Publications-Pharmacy Connection &amp; Annual Report</td>
<td>38,840</td>
<td>48,000</td>
<td>44,575</td>
<td>(9,160)</td>
<td>-19.08%</td>
<td>(3,425)</td>
</tr>
<tr>
<td>Subscriptions</td>
<td>13,514</td>
<td>13,927</td>
<td>13,386</td>
<td>(413)</td>
<td>-2.96%</td>
<td>(541)</td>
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<tr>
<td>Supplies/Stationery</td>
<td>19,954</td>
<td>19,250</td>
<td>21,760</td>
<td>704</td>
<td>3.66%</td>
<td>2,510</td>
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<tr>
<td>Telecommunications</td>
<td>194,108</td>
<td>192,610</td>
<td>189,665</td>
<td>1,498</td>
<td>0.78%</td>
<td>(2,945)</td>
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<td>Travel</td>
<td>286,583</td>
<td>372,500</td>
<td>338,700</td>
<td>(85,917)</td>
<td>-23.07%</td>
<td>(33,800)</td>
</tr>
<tr>
<td><strong>Total Operations</strong></td>
<td><strong>1,903,093</strong></td>
<td><strong>2,035,388</strong></td>
<td><strong>2,087,665</strong></td>
<td><strong>(132,295)</strong></td>
<td><strong>-6.50%</strong></td>
<td><strong>52,277</strong></td>
</tr>
</tbody>
</table>
## Schedule E

### Revenue

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pharmacist Fees</strong></td>
<td>10,900,790</td>
<td>11,048,857</td>
<td>12,454,130</td>
<td>(148,067) -1.34%</td>
<td>1,405,273 12.72% 1,553,340 14.26%</td>
<td></td>
</tr>
<tr>
<td><strong>Pharmacy Technician Fees</strong></td>
<td>2,201,109</td>
<td>2,243,097</td>
<td>2,548,990</td>
<td>(41,988) -1.87%</td>
<td>305,893 13.64% 347,881 15.80%</td>
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</tr>
<tr>
<td><strong>Community Pharmacy Fees</strong></td>
<td>5,301,706</td>
<td>5,278,791</td>
<td>5,881,951</td>
<td>22,915 0.43%</td>
<td>603,160 11.43% 580,245 10.94%</td>
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</tr>
<tr>
<td><strong>Hospital Pharmacy Fees</strong></td>
<td>957,096</td>
<td>950,745</td>
<td>1,040,197</td>
<td>6,351 0.67%</td>
<td>89,452 9.41% 83,101 8.68%</td>
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</tr>
<tr>
<td><strong>DPP Revenue</strong></td>
<td>43,750</td>
<td>9,375</td>
<td>50,000</td>
<td>34,375 366.67%</td>
<td>40,625 433.33% 6,250 14.29%</td>
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<tr>
<td><strong>Professional Health Corporation</strong></td>
<td>140,068</td>
<td>141,250</td>
<td>132,375</td>
<td>(1,182) -0.84%</td>
<td>(8,875) -6.28% (7,693) -5.49%</td>
<td></td>
</tr>
<tr>
<td><strong>Registration Fees and Income</strong></td>
<td>725,526</td>
<td>809,750</td>
<td>743,056</td>
<td>(84,224) -10.40%</td>
<td>(66,694) -8.24% 17,530 2.42%</td>
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<tr>
<td><strong>Investment Income</strong></td>
<td>320,000</td>
<td>225,000</td>
<td>260,000</td>
<td>95,000 42.22%</td>
<td>35,000 15.56% (60,000) -18.75%</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>20,590,046</td>
<td>20,706,865</td>
<td>23,110,699</td>
<td>(116,819) -0.56%</td>
<td>2,403,834 11.61% 2,520,653 12.24%</td>
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</tr>
</tbody>
</table>

*Council - December 9, 2019 Appendix 11.2*
INITIATED BY: Registration Committee

TOPIC: Council Resolutions defining Registration Requirements

ISSUE: Recommended revisions to the existing Council Resolutions for bridging programs for pharmacy technician applicants

PUBLIC INTEREST RATIONALE: As part of its mandate to serve and protect the public, OCP ensures that only those applicants who have successfully met the registration requirements are granted the right to practise pharmacy in Ontario. Applicants must meet a number of registration requirements as specified in General Regulation 202/94 under the Pharmacy Act, 1991 to ensure they possess the required knowledge, skills and abilities to safely practice pharmacy in Ontario. Bridging education programs are required to ensure international graduates possess the knowledge, skills and judgement equivalent to graduates from accredited pharmacy technician programs in Canada.

BACKGROUND:
- The Registration Regulation specifies some registration requirements which are to be approved by Council. These decisions are recorded as resolutions and are posted on the College website to clearly communicate these requirements to applicants.
- There are three existing resolutions (Appendix 1) which require revision as a result of the upcoming discontinuation of the National Association of Pharmacy Regulatory Authorities (NAPRA) Pharmacy Technician Bridging Program at the end of 2019. The resolutions are related to:
  - Bridging education for international pharmacy technician graduates (IPTGs) (#2)
  - Time-limited transition bridging for pharmacy technician applicants already “in the profession” (individuals working as a technician prior to the introduction of regulation for pharmacy technicians) (#3)
  - Eligibility to commence the transition bridging program (#4)

Transition Bridging for Pharmacy Technician Applicants (Resolutions #3 and #4):
- The NAPRA bridging program for pharmacy technician applicants was created in 2013, based on the Ontario program, to create consistency and support the transition of individuals who were already ‘in the profession’ as regulation of technicians was established across the country. From the outset the program was expected to be discontinued when all provincial deadlines for the transition pathway were reached.
- With the introduction of the national program in 2013, College Council passed a resolution to approve the bridging program for two different purposes. The first was to continue to allow the “in the profession” applicants to meet the education requirement for registration. A related resolution to approve the eligibility criteria to enter the bridging program was also established since the transition pathway was to remain open in Ontario until January 1, 2015.
**Bridging Education for International Pharmacy Technician Graduates (Resolution #2):**

- The second purpose was to approve a bridging program for IPTG applicants who would be required to complete a bridging program, unless they successfully completed the Pharmacy Examining Board of Canada Qualifying exam on their first attempt. The approved program for the IPTG applicants also included the “requirement to complete the Orientation to the Canadian Healthcare System” course.
- In 2018, NAPRA signaled that the final deadline across Canada for the transition pathway would be reached at the end of 2019 and therefore the national bridging program would be discontinued at that time.
- The regulators from four provinces (ON, MB, AB and BC) indicated that they also used the program for IPTG applicants and would like to explore the potential to maintain the program for this purpose. PEBC also indicated they utilized the program for IPTG applicants who required remedial education in order to meet eligibility to write the Qualifying exam.
- Over the last year, NAPRA, the four regulatory bodies, PEBC and the education program responsible for delivery of the national bridging program (Selkirk College) worked together to determine a viable bridging program to support IPTG applicants, recognizing that the potential pool was extremely small (less than 20 applicants per year) and diverse in their bridging needs.
- In October 2019, it was determined there were insufficient IPTG applicants to sustain the existing national bridging program and an alternative solution would need to be established by the four provincial regulators who require completion of a program.
- Selkirk College, the education program currently offering the national bridging program, is a fully accredited CCAPP program and offers their courses through distance learning. They have confirmed the ability for IPTG applicants to access specific courses within their program in order to meet any remedial or bridging education needs of these individuals.

**ANALYSIS:**

- With the transition pathway in Ontario closed since 2015, there is no longer a need for the two resolutions related to the “in the profession” applicants (an approved bridging program and eligibility criteria to enter the program).
- Given that completion of an approved bridging program is a non-exemptible registration requirement for some IPTG applicants, and until such time as an alternative bridging program is established, the Registration Committee will need to review IPTG applications on an individual basis to determine which education courses are necessary for them to complete in order to demonstrate they possess the knowledge, skills and judgement equivalent to graduates from accredited pharmacy technician programs in Canada.

**RECOMMENDATION:** That Council approve changes to the Registration Resolutions as proposed in Appendix 1, effective January 1, 2020.

**NEXT STEPS:**

- The College will continue to work with the Manitoba, Alberta and British Columbia regulatory authorities, NAPRA, PEBC, Selkirk College and other accredited pharmacy technician programs to establish an alternative bridging program to meet the needs of IPTG applicants who are required to complete an approved program in order to satisfy the registration requirements.
- The Registration Committee will determine principles for a policy that outlines the framework for the ‘program’ to guide their decisions on individual applications.
## 2. Education – Bridging for International Graduates

<table>
<thead>
<tr>
<th>Reference in the Regulation</th>
<th>Current Resolution</th>
<th>Proposed Amended Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>The applicant will have a university degree in pharmacy and have completed “a program that, at the time the applicant commenced it was approved by Council as one whose graduates should possess knowledge, skill, judgment at least equal to those of current graduates of a program referenced in..” Pharmacists: 6. (1) 1. ii. A Interns: 13. (1) 1. ii. A Pharmacy Technicians: 16. (1) 1. ii. A</td>
<td>Council approves the University of Toronto, International Pharmacy Graduate Program as “a program whose graduates should possess knowledge, skill, and judgment at least equal to those current graduates of a program referenced in sub-subparagraph 1.i. B of subsection 6 (1) and subsection 13 (1)” for the purpose of sub- subparagraph 1. ii A of subsection 6 (1) and subsection 13 (1).</td>
<td>No Change to the pharmacist resolution</td>
</tr>
</tbody>
</table>

Council approves the Bridging Education Program for Pharmacy Technicians (developed by CONNECT Strategic Alliance) as administered by those Community Colleges accredited by the Canadian Council for Accreditation of Pharmacy Programs until September 2013 or, the National Pharmacy Technician Bridging Program as administered by the National Association of Pharmacy Regulatory Authorities (NAPRA) as of September 2013 with the addition of the “Orientation to the Canadian Healthcare System” course (as outlined in Appendix 1) as the “approved program” referenced in sub-subparagraph 1.ii. A in subsection 16. (1) |

|
| Council approves the Canadian Health Care System, Culture and Context for Internationally Educated Healthcare Professionals* course in addition to any other course(s) or program as identified by the Registration Committee as a program “whose graduates should possess knowledge, skill and judgement at least equivalent to a current graduate of a program referred to in subparagraph 1.i for the purpose of sub-subparagraph 1.ii. A in subsection 16. (1) |

*offered by the University of Toronto, School of Continuing Studies
### 3. Education – time-limited transition bridging for pharmacy technician applicants already “in the profession”

| Technician: 16. (1) 1. iii | The applicant will have successfully completed “a program before January 1, 2015 that, at the time the applicant commenced [it] was approved by the Council as one whose graduates should possess knowledge, skill, and judgment at least equal to a current graduate of a program referred to in…” | Council approves the Bridging Education Program for Pharmacy Technicians (developed by CONNECT Strategic Alliance) as administered by those Community Colleges accredited by the Canadian Council for Accreditation of Pharmacy Programs until September 2013 or, the National Pharmacy Technician Bridging Program as administered by the National Association of Pharmacy Regulatory Authorities (NAPRA) as of September 2013, as “a program whose graduates should possess knowledge, skill, and judgment at least equal to a current graduate of a program referred to in subparagraph 1.i. of subsection 16 (1)” for the purpose of subparagraph 1. iii of subsection 16(1) | Rescind the resolution |

### 4. Eligibility to commence the transition bridging program
| In order for the Bridging program referred to for the transition group to be accepted the applicant will have “successfully completed, a)The OCP certification exam b)The PEBC evaluating exam for pharmacy technicians or, c)”another examination approved by Council” | Council approves the Pharmacy Technician Certification Board of Alberta certification exam that was available until June 30, 2008 and the Pharmacy Examining Board of Canada Pharmacists Evaluating Exam as “another examination” for the purpose of paragraph (c) of subsection 16 (9) | Rescind the resolution |
FOR DECISION:  

INITIATED BY:  Nancy Lum-Wilson, C.E.O and Registrar

TOPIC:  Regulation amendments to enable expanded scope of practice for pharmacists

ISSUE:  Update on the initial development of the regulatory submission to enable pharmacist prescribing for select minor ailments

PUBLIC INTEREST RATIONALE:  The Minister of Health has asked the College to submit regulations to enable an expanded scope of practice for pharmacists to help ease the burden on primary health care systems, particularly in areas with scarce resources, and thereby improve access to care for patients. In developing the regulatory changes needed to enable the new scope, the College needs to define the appropriate parameters that maximize the knowledge and skill of pharmacists while also ensuring the delivery of safe, high quality patient care.

BACKGROUND:
- The Minister of Health has requested that the Council of the College make regulations that would enable pharmacists to prescribe drugs for certain minor ailments in a letter sent on May 30, 2019.
- The regulations to enable this change are to be submitted to the Ministry by June 30, 2020.
- To prepare for the submission, the College has been working closely with the Ministry of Health in developing policy that will support prescribing for certain minor ailments, while ensuring that patient safety and quality care is not compromised.
- The College is also seeking feedback from stakeholders to obtain preliminary insights needed to inform the development of the regulations.
- In order to facilitate prudent and expedient discussions within the health care system, a Minor Ailments Advisory Group (MAAG), comprising of patient advisors as well as experts in medicine, public health, health systems research, and pharmacy has been formulated. The advisory group’s terms of reference can be found on the College website.
- The advisory group’s role is to provide input and guidance on how these changes can improve health outcomes and health-system quality while ensuring patient safety, in the context of broader engagement and consultation with pharmacy professionals, stakeholders and the public, related to minor ailments.
- The College has taken steps to secure broad preliminary feedback including meeting with pharmacy associations, administering a survey to registrants and through public focus groups to proactively identify important issues prior to the development of the regulations.
- Together, these early consultations will be key in informing and guiding the development of draft regulatory amendments and required tools that put patient safety first, including determining which minor ailments to include, safety parameters, and education and training needs.

ANALYSIS:
- Enabling pharmacists to prescribe for minor ailments will allow them to take on a greater role within the health care system, to provide patients with streamlined care pathways that make connections easier in the system, and improving access to minor and routine care in the community.
• The multi-modal approach to early engagement has provided preliminary insights to inform regulatory development and to understand the issues that must be considered in putting patient safety first.
• Broad engagement with stakeholders is helping to build a strong, evidence-informed foundation for deciding which minor ailment conditions to include.
• A jurisdictional scan was completed which included reviewing programs in other provinces and information on implementation and impact.
• Information on conditions that are resulting in emergency department (ED) visits that can be safely managed through pharmacist prescribing was also reviewed to help ground the policy in current and emerging health care needs and maximize the benefits to patients and the broader health system.
• The MAAG has been engaged in regular discussions to identify and provide recommendations for the College to consider in drafting the regulatory submission with a view to improving outcomes and quality of the system.
  o As there is no single standard definition for minor ailments, MAAG reviewed the commonly referenced definitions and made a recommendation on a description to adopt. [Appendix 1].
  o The MAAG developed additional considerations to guide the selection of conditions and refine the full list of conditions implemented in at least one province. These considerations include: likely to prevent urgent care visits, treatment commonly involves the option of a prescription medication, time-sensitive conditions and frequently included in other provinces.
  o Using these tools, the MAAG recommended implementing 18 conditions. [Appendix 1].
• This preliminary list of conditions will continue to be shared with stakeholders for feedback and input, including pharmacy associations, registrants, and the public.
• To support treatment of the minor ailments, the College will work with stakeholders, including MAAG, to determine which medications pharmacists should be authorized to prescribe to support treatment.
• For the purposes of the regulation, medications will be referenced by categories. This will ensure that pharmacists have the flexibility to prescribe up-to-date medications, improving access to care and avoiding the need to make regulatory changes when new medications are approved.
• More specific information on recommended treatment options can be provided through other mechanisms outside of regulation, such as guidance documents.
• The early engagement and feedback will help to inform the drafting of the regulations and implementation requirements. After the draft is complete, there will be additional opportunity for feedback through the formal consultation process.

NEXT STEPS:
• The College will continue to seek stakeholder feedback before developing the draft regulatory submission to enable pharmacist prescribing for minor ailments.
• The regulatory submission will be presented at the March 2020 Council meeting and following approval of Council, the proposed regulations will be posted on the College’s consultation page for the mandated 60 day period for public review.
Appendix 1:

1.1 Description of minor ailments:
Minor ailments are health conditions that can be reliably self-diagnosed and managed with self-care strategies and/or minimal treatment. Additional criteria include: usually a short-term condition, lab tests are not usually required, low risk of treatment masking underlying conditions, medication and medical histories can reliably differentiate more serious conditions and only minimal or short-term follow-up is required.

1.2 List of minor ailments in discussion with stakeholders:
1. UTI (uncomplicated)
2. Dermatitis (atopic-mild/moderate eczema, allergic contact and irritant contact)*
3. Insect bites / urticaria
4. Conjunctivitis (bacterial and allergic)
5. Acne (mild to moderate)*
6. Allergic rhinitis*
7. Candidal stomatitis (oral thrush)*
8. Oral aphthae (canker sores)*
9. Herpes labialis (cold sores)*
10. Hemorrhoids*
11. Diaper dermatitis
12. Vulvovaginal candidiasis (yeast infection)
13. Dysmenorrhea*
14. Musculoskeletal sprains and strains
15. Impetigo
16. Nausea and vomiting of pregnancy
17. GERD
18. Pinworms and threadworms

*Approved in 7/7 provinces authorizing pharmacist prescribing for minor ailments.
Council Briefing Note Meeting
Date: December 2019

FOR DECISION

FOR INFORMATION

X

Initiated By: Nancy Lum-Wilson, CEO and Registrar

Topic: Registrar’s Report to December 2019 Council

Issue: As set out in the Governance Manual, Council holds the Registrar accountable for the operational performance of the organization. The Registrar is expected to report on these activities at every Council meeting.

Background: I respectfully submit a report on the activities that have taken place since the September 2019 Council Meeting. In addition to various internal meetings with staff and regular meetings and phone calls with the President and the Vice President, summarized below are the matters that I dealt with on behalf of the College during the reporting period.

Public Interest Rationale: The Registrar is responsible for reviewing the effectiveness of the College in achieving its public interest mandate and the implementation of the Council’s strategic plan and directional policies.

Strategic Priorities Progress Update

A key part of the Registrar’s performance is to regularly provide an update to Council on the College’s Operational Plan. I am pleased to present the Q3 2019 (Attachment 1) scorecard for your review, which provides a snapshot of the performance of the College against the established objectives for the 2019-2021 strategic plan.

I am also pleased to provide a preview of the 2020 scorecard and the Registrar’s performance plan (Attachment 2).

Ministry/Government Activities

On September 10, 2019 and October 24, 2019, the Drug Programs Policy and Strategy Branch at the Ministry of Health hosted meetings with the OCP, the College of Physicians and Surgeons of Ontario (CPSO), the Royal College of Dental Surgeons of Ontario (RCDSO), and the College of Nurses of Ontario (CNO), to discuss approaches to analysis of information from the Narcotics Monitoring System. We anticipate these discussions will continue as the Ministry and regulators continue to explore the type of reporting and analysis of this data that will be useful to advance our public safety mandate.

On October 24, senior staff and I met with the Director of the Health Workforce Regulatory Oversight Branch, Strategic Policy and Planning Division and the Director of the Drug Programs Policy and Strategy to provide College updates on our work on governance, scope of practice, drug shortages and recent legal challenges to discipline orders.
Federal/Provincial Initiatives

Ontario Fairness Commissioner
On October 24, 2019, I along with other College staff attended an annual meeting at the Ontario Fairness Commissioner's (OFC) office. These meetings allow the College to address questions from OFC staff about current registration trends and College activity related to our registration practices. We were informed at the meeting that the government very recently shifted the OFC reporting structure from within the Ministry of Training, Colleges and Universities to the Ministry of Labour, Training and Skills Development but a new commissioner has not yet been appointed. In the interim, OFC staff continue to carry out their legislated duties and are proceeding with the development of a risk-based oversight approach, which will focus resources on those professions that are identified to be at risk or in non-compliance with the fair registration practices legislation.

Based on the successful outcome and commendable practices noted in previous OFC assessments of our practices, the College is well positioned for this new approach, which should result in a reduction of workload associated with the current continuous quality improvement model.

Inter-Professional Relationships

Federation of Health Regulatory Colleges of Ontario (FHRCO)
At the FHRCO Board of Directors meeting held on October 8, 2019 it was decided that the organization would apply to the Ministry of Consumer Services to amend the letters patent of the organization to reflect a new name and statement of purpose. Once the pending approval is granted, the name of the organization will be changed to the Health Professionals Regulators of Ontario (HPRO). As well, discussions at the meeting included an overview report about Proactive Public Appointments and the next steps in Governance.

Other Stakeholder Meetings

CLEAR Educational Conference
In September, I attended the 39th CLEAR Annual Educational Conference in Minneapolis and delivered a presentation to international delegates entitled, “Using Risk-Based, Data-Driven Regulatory Strategies to Deliver on our Public-Protection Mandate.” This presentation focused on the College’s growing and maturing use of data and analytics to inform decision making and to help guide improvements in the profession through the AIMS Program, Quality Indicators for Pharmacy and NMS opioid dispensing data.

79th FIP World Congress of Pharmacy
In September, I attended the International Pharmaceutical Federation (FIP) annual congress in Abu Dhabi, which for the first time, hosted a regulator forum, adding a valuable opportunity for exploration of international regulatory issues specific to pharmacy. Discussions focused on differences between international education systems and registration practices, providing some insight into international graduates coming into Canada.

National Association of Pharmacy Regulatory Authorities (NAPRA)
The fall NAPRA Board meetings took place on November 5-7, 2019 in Vancouver. NAPRA is in the process of developing its operational plan for 2020. Addressing cross-jurisdictional practices, medical incident reporting standards, renewal of standards and guidance documents continue to be a focus. There was also significant discussion on work environment issues that
Memorandums of Understanding between NAPRA, the Pharmacy Regulatory Authorities (PRAs), and the Pharmacy Examining Board of Canada, as well as between NAPRA, the PRAs, and the Canadian Council for Accreditation of Pharmacy Programs (CCAPP), were finalized and approved by the NAPRA Board, setting out clear expectations for collaboration between the organizations.

On November 18th the College received a letter from NAPRA regarding important changes that will impact the conditions of sale of natural health products (NHPs) across Canada. NAPRA will be updating its policy on and approach to NHPs in the National Drug Schedules (NDS).

OCP Opioid Strategy Update

Ontario Opioid Drug Observatory Steering Committee Meeting
On November 18, 2019 I attended the Ontario Opioid Drug Observatory Steering Committee meeting. The discussions focused on the exploration of future research in Opioid management and understanding of the harms.

Framework for Improving the Safety and Security of Controlled Substances in Hospital High Risk Areas
As part of our commitment to strengthen the security of drug distribution in Ontario, the College led the establishment of a Partnered Table of organizations that have made significant contributions to health care medication management in Ontario, to collaborate to address the safety and security of Controlled Substances in hospital high risk areas. I am pleased to inform that the Partnered Table is set to publicly release a Framework for Improving the Safety and Security of Controlled Substances in Hospital High Risk Areas. The framework, which contains 13 recommendations, is intended to focus on system-level solutions and act as guidance for organizations as they strive to improve the safety and security of controlled substances in hospitals. The College is pleased to have been able to move this work forward in support of its Opioid Strategy.

The organizations that collaborated with the College include the Ontario Hospital Association, Thunder Bay Regional Health Sciences, the Canadian Anesthesiologists Society, Accreditation Canada, Hamilton Health Sciences, Ministry of Health, University Health Network, Health Quality Ontario, Canadian Society of Hospital Pharmacists, Alexandra Hospital Ingersoll and Tillsonburg District Memorial Hospital, Institute for Safe Medication Practices Canada, William Osler Health System and St. Joseph’s Hospital, Hamilton. A patient advisor was also part of this group.

The next steps for the Partnered Table will be to identify opportunities to measure and evaluate the impact of the recommendations from the framework, which are meant to be evolving and will be regularly reviewed for quality improvement. I will keep you informed on the progress of this work as it proceeds.

Opioid Dispensing Snapshot now released
In follow-up to my most recent update to Council, I am pleased to share with you that the College has publicly released its first set of Narcotics Monitoring System (NMS) dispensing data based on analysis provided by the Ministry of Health.

Aligned with the College’s Opioid Strategy, the Opioid Dispensing in Ontario: 2018 Snapshot is intended to provide an overall look at opioid dispensing patterns in community pharmacy in Ontario related to three areas of analysis that are considered high risk dispensing practices. The development of the snapshot was a collaboration with the Ministry of Health, which is
responsible for the management of the NMS. The Ministry conducted the analysis and shared the aggregate, de-identified data analysis with the College. The data analysis did not identify specific pharmacies, pharmacy professionals or patients.

Through the release of the snapshot, the College is seeking to better understand practice behaviours, with the primary goal of identifying areas for further teaching, coaching and collaborating with pharmacy professionals in preventing opioid-related harms. We also recognize that there is growing public, patient and health system stakeholder interest in understanding the role of pharmacy in helping to reduce the human and societal impact associated with the opioid crisis in our communities.

Of equal importance is the use of data and resources in providing pharmacy professionals with information to help them evaluate and enhance their own practice as medication experts. To assist with this, the snapshot outlines a number of key considerations for pharmacy professionals who are dispensing opioids and its release was accompanied by the publication of additional practice-related resources for the profession. The next snapshot, which will reflect 2019 data from the Ministry, is expected to be published in spring 2020.

**Miscellaneous Items**

**Ontario Association of Chiefs of Police’s (OACP) Pharmacy Safety Initiative update**

In December 2018, Council approved a recommendation that the College engage with the OACP to explore support for implementation of a Pharmacy Safety Initiative. Over the course of this year, the OACP has been working toward endorsement of this province-wide strategy within their own association. The College has been advised that the OACP’s Community Safety and Crime Prevention Committee will facilitate the work moving forward and has identified liaison representatives for all police services in each of the six policing zones within the province.

Next steps will include communication of the initiative within these police zones and exploration of additional partners willing to join a provincial committee, including representation from OCP, pharmacy associations, Ministries of Health and Community Safety and Correctional Services and pharmacy corporations. Our work on this initiative continues to be in an exploratory phase and Council will be provided with further updates as the work progresses.

**Quality Indicators for Pharmacy - Update**

Since the last update in June 2019, the College has been working with health care system stakeholders, pharmacists, and data experts to define the technical specifications for three of the seven quality indicators. They are:

- Percentage of opioid-naïve patients who were dispensed an initial dose greater than 90 mg morphine equivalents per day;
- Hospital visits for opioid poisonings among patients that are actively treated with an opioid prescription; and
- Percentage of people who have had a medication review within 14 days of discharge home from hospital.

This work will provide more details for data analysts to extract the appropriate data for these indicators, which are currently accessible through Ministry databases. The technical specifications document will be finalized by the end of the year, which will support the public posting of the three indicators by Spring 2020.

**Pharmacy Examining Board of Canada (PEBC)**

At its mid-year Board meeting held in Toronto on October 19, 2019, the PEBC Board provided an update on the rollout of Computer-Based Testing (CBT). The first Pharmacist Evaluating
Exam via CBT was held across Canada in June and PEBC is on track to transition its last Multiple Choice Question (MCQ) exam to CBT for September 2020. Please see Attachment 3 for the full update.

Weirfoulds Seminar: Current Governance Issues for Regulators
On November 22, 2019, I was invited to present to a group of over 90 stakeholders at the Weirfoulds Fall Symposium around current governance issues for regulators. Various topics were explored including board size and composition, the importance of forming competency-based boards, and what can be done to move to best practice within the current legislative framework.

OnPharm United Conference
On November 17, 2019, I presented at the OnPharm United Conference in Niagara Falls to an audience of approximately 250 pharmacy delegates. My presentation was on our Quality Indicators for Pharmacy and the evolution of data-driven regulatory strategies to promote quality improvement. The audience was receptive to the message and was pleased with the College approach to continuous quality improvement.

ONE ID Update
As previously reported, College staff have been working with eHealth Ontario on an initiative that will support pharmacy’s access to provincial digital health tools including clinical viewers. Pharmacists and pharmacy technicians will require “ONE ID” credentials to access these tools and the College will help to facilitate the enrollment process for “ONE ID” through the OCP member portal.

Work on the project was paused in mid-2019 to allow for the transition of eHealth Ontario to the newly formed Ontario Health agency. Recently, OCP staff were informed by Ontario Health (eHealth division) that while the transition continues, this project has been prioritized and a meeting is scheduled in February 2020 to resume the collaboration. More details will be communicated once they are available.

Auditor General Reports
Over the course of the year, the College has provided information to the Office of the Auditor General of Ontario with respect to two separate Value for Money Audits; one on patient safety and drug distribution in hospitals and a second on addiction programs within the province. I expect these reports will be released before the provincial legislature rises for the year (December 12, 2019) and anticipate there may be recommendations within these reports that will be of interest and linked to the work of the College. Should this be the case, we will welcome the opportunity to collaborate with the Ministry and other system partners to advance our work in each of these areas and will keep Council apprised of any such recommendations.

Governance Reform News
On November 27th the all-party steering committee in British Colombia, formed after the publication of Harry Cayton’s report last April has released a consultation paper with specific recommendations. The consultation paper includes several recommendations for the modernization of the regulation, Health Professions Act, RSBC 1996 of the regulators of the health professions in British Columbia which include: governance reform, a reduction in the number of Colleges, creation of an oversight body and that discipline hearings will be conducted by the oversight body. The consultation paper can be found at: Modernizing the provincial health profession regulatory framework: A paper for consultation. Submissions will be received up to January 10, 2020.
### Quarterly Scorecard – OCP Council - Q3 2019

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<th>SP3</th>
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<th>Key Performance Indicators and Milestones</th>
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<td>1</td>
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<td>✓</td>
<td>n/a</td>
<td>*Develop governance evaluation tool to measure public interest focus</td>
<td>17-Sep</td>
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<td>*Develop a plan to advance governance framework, aligned with agreed principles</td>
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<td>*Integrate operational risk oversight into Finance &amp; Audit Committee work plan</td>
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<td>5</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>103/340</td>
<td>Number of complaints disposed within 150 days / total number disposed cumulative measure (YTD)</td>
<td>30-Sep</td>
<td>84/253 Ref</td>
</tr>
<tr>
<td>6</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>41%</td>
<td>% Registrar’s inquiries disposed within 365 days cumulative measure (YTD)</td>
<td>30-Sep</td>
<td>33.0%</td>
</tr>
<tr>
<td>7</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>37/89</td>
<td>Number of Registrar’s inquiries disposed within 365 days / total number disposed cumulative measure (YTD)</td>
<td>30-Sep</td>
<td>24/73 Ref</td>
</tr>
<tr>
<td>8</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>79%</td>
<td>% HPRAB complaint decisions confirmed (# decisions confirmed/ # HPRAB decisions) cumulative measure (YTD)</td>
<td>30-Sep</td>
<td>88% 15/17 Ref</td>
</tr>
<tr>
<td>9</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>41%</td>
<td>% Decisions for uncontested hearings issued within 60 days (total # of uncontested decisions issued) cumulative measure (YTD)</td>
<td>30-Sep</td>
<td>81.0%</td>
</tr>
<tr>
<td>10</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>44%</td>
<td>% Pharmacists assessed meeting more than 75% of indicators without coaching</td>
<td>30-Sep</td>
<td>47.0%</td>
</tr>
<tr>
<td>11</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>*Implement a framework for risk-based assessment of pharmacy professionals &amp; pharmacies</td>
<td>30-Sep</td>
<td>47.0%</td>
</tr>
<tr>
<td>12</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>*Formally launch pharmacy indicator initiative</td>
<td>6-Jun</td>
<td>n/a</td>
</tr>
<tr>
<td>13</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>*Public reporting of medication incidents commences</td>
<td>31-May</td>
<td>n/a</td>
</tr>
<tr>
<td>14</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>*Publish transparency framework and principles</td>
<td>30-Jun</td>
<td>n/a</td>
</tr>
<tr>
<td>15</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>44%</td>
<td>% Engagement drivers, organizational culture (subset)</td>
<td>Annual Report Q3 2019</td>
<td>51%</td>
</tr>
<tr>
<td>16</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>% Variance of operating annual budget to year end actuals</td>
<td>Annual Report Jan 2020</td>
<td>within 5%</td>
</tr>
<tr>
<td>17</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>*End of development and testing, data analytics strategy</td>
<td>n/a</td>
<td>31-Dec</td>
</tr>
<tr>
<td>18</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>n/a</td>
<td>*Presentation of draft Discipline cost recovery model policy</td>
<td>15-Mar</td>
<td>n/a</td>
</tr>
</tbody>
</table>

#### Strategic Plan Alignment

<table>
<thead>
<tr>
<th>SP Ref. (Strategic Alignment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SP1: Enhancing system and patient outcomes through collaboration and optimization of current scope of practice</td>
</tr>
<tr>
<td>SP2: Strengthen trust &amp; confidence in the College’s role and value as a patients-first regulator</td>
</tr>
<tr>
<td>SP3: Enhance the College’s capacity to address emerging opportunities and advance quality and safe pharmacy practice and regulatory excellence.</td>
</tr>
</tbody>
</table>

#### Legend

- * n/a = not applicable
- * Indicates a project milestone
- Completed milestone

#### Indicator Performance to Target

- On Target within 10%
- Approaching Target >10% - 25%
- Beyond Target >25%

#### *Milestone Performance to Target

- On Track (proceeding per plan)
- Potential Risk
- Risk/Roadblock

#### 5-Nov-19
<table>
<thead>
<tr>
<th>Scorecard Measure</th>
<th>Q3 2019 Council Summary / Improvement Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>#1</strong> <em>Develop governance evaluation tool to measure public interest focus</em></td>
<td>This project milestone is complete.</td>
</tr>
<tr>
<td><strong>#2</strong> <em>Develop a plan to advance governance framework, aligned with agreed principles</em></td>
<td>This project milestone is complete.</td>
</tr>
<tr>
<td><strong>#3</strong> <em>Integrate operational risk oversight into Finance &amp; Audit Committee work plan</em></td>
<td>This project milestone is complete.</td>
</tr>
<tr>
<td><strong>#4</strong> % Complaints disposed within 150 days</td>
<td>Attention to decision writing capacity and processes resulted in an increase in issuance of decisions in Q3, while volume and age of files affected the number that would meet the 150 day target.</td>
</tr>
<tr>
<td><strong>#5</strong> Number of complaints disposed within 150 days / total number disposed</td>
<td>Values that support indicator #4 above.</td>
</tr>
<tr>
<td><strong>#6</strong> % Registrar's Inquiries disposed within 365 days</td>
<td>Active inventory of Registrar’s Inquiry files already greater than 365 days are being balanced with more current but high risk cases by both additional investigative resources and decision writing.</td>
</tr>
<tr>
<td><strong>#7</strong> Number of Registrar's Inquiries disposed within 365 days / total number disposed</td>
<td>Values that support indicator #6 above.</td>
</tr>
<tr>
<td><strong>#8</strong> % Health Professions Appeal and Review Board (HPARB) complaint decisions confirmed (# decisions confirmed/ # HPARB decisions)</td>
<td>Within target range.</td>
</tr>
<tr>
<td><strong>#9</strong> % Decisions for uncontested hearings issued within 60 days (total # of uncontested decisions issued)</td>
<td>The YTD ending Q3 is meeting target. There were 15 out of 17 decisions issued within 60 days.</td>
</tr>
<tr>
<td><strong>#10</strong> % Pharmacists assessed meeting more than 75% of indicators without coaching</td>
<td>This indicator has an annual target. Results YTD remain stable and &gt; 3% above 2018 year end results. Improvement expected as more pharmacists are aware of practice assessment expectations. The final cohort represents a higher percentage of relief and occasional practicing pharmacists which may be impacting the outcome such that year-end results will likely be below target. Improvement strategies (e.g. communication and education) continue to be employed.</td>
</tr>
<tr>
<td>#11</td>
<td>Implement a framework for risk-based assessment of pharmacy professionals &amp; pharmacies</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>#12</td>
<td>Formally launch pharmacy indicator initiative</td>
</tr>
<tr>
<td>#13</td>
<td>Public reporting of medication incidents commences</td>
</tr>
<tr>
<td>#14</td>
<td>Publish transparency framework and principles</td>
</tr>
<tr>
<td>#15</td>
<td>% Engagement drivers, organizational culture (subset)</td>
</tr>
<tr>
<td>#16</td>
<td>% Variance of operating annual budget to year end actuals</td>
</tr>
<tr>
<td>#17</td>
<td>End of development and testing, data analytics strategy</td>
</tr>
<tr>
<td>#18</td>
<td>Presentation of draft Discipline cost recovery model policy</td>
</tr>
<tr>
<td>Scorecard Measure</td>
<td>Indicator or Milestone Definition</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>#1</td>
<td>Develop governance evaluation tool to measure public interest focus.</td>
</tr>
<tr>
<td>#2</td>
<td>Develop a plan to advance governance framework, aligned with agreed principles.</td>
</tr>
<tr>
<td>#3</td>
<td>Integrate operational risk oversight into Finance &amp; Audit Committee work plan.</td>
</tr>
<tr>
<td>#4</td>
<td>The % compliance with the statutory requirement to dispose of complaints within 150 days. Includes all complaints (investigator appointed (75.1c) and complaints where an Investigator is not required. The 150 days begins the date the complaint is “filed” and ends on the date the complaint is disposed of (decision mailed).</td>
</tr>
<tr>
<td>#5</td>
<td>Number of complaints disposed within 150 days/total number disposed</td>
</tr>
<tr>
<td>#6</td>
<td>The % of the Registrar’s Inquiries (75.1a) disposed of within 365 days. The 365 days begins the date the Inquiry is “filed” and ends on the date the Inquiry is disposed of (decision mailed).</td>
</tr>
<tr>
<td>#7</td>
<td>Number of Registrar’s Inquiries disposed within 365 days/total number disposed</td>
</tr>
<tr>
<td>#8</td>
<td>The % of HPARB (Health Professions Appeal and Review Board) complaint decision requests confirmed.</td>
</tr>
<tr>
<td>#9</td>
<td>The % of “Decisions” for uncontested hearings that are issued within 60 days. The period of measurement for this indicator begins from the last day of the hearing to the date the hearing “Decision” was released to the parties. The total number of uncontested decisions issued for the quarter is shown in brackets.</td>
</tr>
<tr>
<td>Scorecard Measure</td>
<td>Indicator or Milestone Definition</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>#10</strong>% Pharmacists assessed meeting more than 75% of indicators w/out coaching</td>
<td>The % of community pharmacists meeting standards in more than 75% of their performance indicators without coaching. (routine assessments)</td>
</tr>
<tr>
<td></td>
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<tr>
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<td></td>
</tr>
<tr>
<td><strong>#11</strong>Implement a framework for risk based assessment of pharmacy professionals &amp; pharmacies</td>
<td>This milestone reflects the development of a framework for identification of risk factors that will be developed through analysis of data to establish criteria and scheduling for practice and operational assessments.</td>
</tr>
<tr>
<td><strong>#12</strong>Formally launch pharmacy indicator initiative</td>
<td>Part of the Outcome Indicators for Pharmacy initiative, this milestone reflects the official launch of the initiative.</td>
</tr>
<tr>
<td><strong>#13</strong>Public reporting of medication incidents commences</td>
<td>Part of the Medication Safety Program project, this milestone reflects the start of medication incident reporting across all community pharmacies (excluding hospitals) in Ontario.</td>
</tr>
<tr>
<td><strong>#14</strong>Publish transparency framework and principles</td>
<td>Part of the Transparency core priority, this milestone reflects the publishing of a formal transparency framework to guide the advancement and evolution of the College’s transparency principles.</td>
</tr>
<tr>
<td><strong>#15</strong>% Engagement drivers, organizational culture (subset)</td>
<td>A full scale employee engagement survey was conducted by an external 3rd party in 2018. Senior Management Relationships was targeted as an area for improvement. A pulse survey on this subset of indicators will be conducted on the 1 year anniversary of the survey. The target is set at the industry benchmark.</td>
</tr>
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<tr>
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</tr>
<tr>
<td><strong>#16</strong>% Variance of operating annual budget to year end actuals</td>
<td>This is a measure of the variance of actual operating expenses against budget. Achieving operating outcomes with additional efficiencies would exceed performance.</td>
</tr>
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<td></td>
</tr>
<tr>
<td><strong>#17</strong>End of development and testing, data analytics strategy</td>
<td>Part of the Data Management Program project, this milestone reflects the end of the development and testing of the data analytics strategy.</td>
</tr>
<tr>
<td><strong>#18</strong>Presentation of draft discipline cost recovery model policy</td>
<td>Part of the Discipline Cost Recovery Model project, this milestone reflects the readiness of the draft policy for Council presentation.</td>
</tr>
<tr>
<td>Strategic Plan Alignment</td>
<td>No.</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-----</td>
</tr>
<tr>
<td>Governance and Strategic Risk</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Regulatory Risk</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>7</td>
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<td>8</td>
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<td>10</td>
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<tr>
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<td>11</td>
</tr>
<tr>
<td></td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>13</td>
</tr>
<tr>
<td>Stakeholder, Transparency and Reputational Risk</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>19</td>
</tr>
</tbody>
</table>

SP1: Enhancing system and patient outcomes through collaboration & optimization of current scope of practice

SP2: Strengthen trust & confidence in the College’s role as a patients-first regulator

SP3: Enhancing capacity to address emerging opportunities & advance quality and safe pharmacy practice

Legend

- On Target within 10%
- Approaching Target >10% - 25%
- Beyond Target >25%
- On Track (proceeding per plan)
- Potential Risk
- Risk/Noteblock

* Indicates a project milestone

21-Nov-19 Completed milestone
2019 Mid-Year Board Meeting Summary

The Pharmacy Examining Board of Canada held its 2019 Mid-Year Board Meeting on October 19, 2019 in Toronto. Three standing committees met over two days preceding this meeting. A Board of Directors continuing development session was held prior to the Mid-Year Meeting. The following are highlights of issues addressed and recommendations made by the Board. For further information, you may contact Board appointees, the President, Kaye Moran, or the Registrar-Treasurer, Dr. John Pugsley.

2019-2020 Executive Committee

President – Kaye Moran
Vice-President – Dinah Santos
Past-President – Janet MacDonnell

Executive Members:
Omar Alasaly
Melissa Benoit

Computer-Based Testing Update

Pharmacist Evaluating Examination – June 2019

In June, PEBC delivered the first Pharmacist Evaluating Examination via Computer-Based Testing (CBT) at Prometric test centres across Canada and in London, England. The exam was administered to just over 1,000 candidates as a single examination day window, with up to three sittings per day. The single day administration provided enhanced examination security. The examination was 4.25 hours in total with 200 scored items.

PEBC noted less candidate complaints compared to previous CBT administrations and upon review of the post-exam survey, candidate satisfaction with Prometric test centres and the testing platform was even higher than the past sittings of the Pharmacist Qualifying Examination.
As PEBC had reduced the amount of time per question for the Pharmacist Evaluating Examination when transitioning to CBT, it also surveyed the candidates through a post-exam survey and determined that the majority of candidates found that PEBC provided the correct amount of time. Additionally, PEBC found that all candidates completed the examination. Also, in the post-exam survey, candidates were asked how satisfied they were with respect to the content of the Pharmacist Evaluating Examination as an appropriate test of their foundational science and pharmacy background. A large percentage of candidates indicated that they were satisfied.

**Pharmacy Technician Qualifying Examination Part I (MCQ)**

PEBC is on track to transition its last MCQ exam to CBT for September 2020. By the end of 2019, PEBC will have conducted an attenuation study to determine the reliability of a shortened length exam with the primary focus of reducing unnecessary redundancy in the content of the exam. PEBC will be working with Prometric’s Test Development Team to conduct the study, in a similar fashion to what was done with the Pharmacist Evaluating Examination and will bring forward a recommendation to the Board in February 2020. PEBC will announce the transition to CBT to candidates after the Annual Board Meeting.

**Pharmacist Qualifying Examination Part I (MCQ) – May 2019 Administration**

In order to enhance examination security, PEBC coordinated with Prometric to reduce the length of the CBT examination window to a two day window for the May 2019 Pharmacist Qualifying Examination Part I (MCQ) and the upcoming November exam to a single day window. In doing so, the number of sites which administered the May 2019 exam increased from 17 to 26.

Through the use of CBT, PEBC continues to enhance its assessment tools to provide a rigorous and secure certification process.

**Committee on Examinations**

The Committee on Examinations reviewed guidelines and a revised list for candidate personal items in the performance examinations (OSCE/OSPE) including permitted items, prior approval items and prohibited items. The Board approved the revised list which will come into effect for the 2020 performance examinations. The Committee on Examinations received an update on the development of a new portfolio assessment (Prior Learning Assessment and Recognition) tool for international pharmacy technicians and pharmacists seeking to become regulated pharmacy technicians. This tool will replace the Pharmacy Technician Evaluating Examination which ended in 2018 and will be piloted in 2020.

**Strategic Plan 2019-2021**

The Board of Directors reviewed changes to the 2019-2021 Strategic Plan timelines. The key strategic areas include:

I. Ensuring Current Services are Relevant and Sustainable
II. Exploring the Expansion of Services
III. Optimizing Blueprint & Assessment Processes
IV. Developing and Enhancing Strategic Relationships (with stakeholders)
V. Optimizing Exam Delivery
VI. Exploring the Impact of Technology on Process & Operations

**Board Meetings**

The next Annual Board Meeting will be held on February 22, 2020, with Committee Meetings preceding.