



ONTARIO  
PHARMACISTS  
ASSOCIATION

Office of the Chief Executive Officer

February 15, 2020

Ms. Nancy Lum-Wilson  
CEO and Registrar  
Ontario College of Pharmacists  
483 Huron Street  
Toronto, ON M5R 2R4

Via Email: [consultations@ocpinfo.com](mailto:consultations@ocpinfo.com)

Dear Nancy:

**Re: Consultation on Proposed Changes to OCP By-Law No. 5 Regarding Governance Structure and Proposed Fee Increases for Registrants, Applicants and Pharmacies**

On behalf of the Board of Directors, staff and members of the Ontario Pharmacists Association ('OPA', the 'Association'), we appreciate the opportunity to provide the Ontario College of Pharmacists ('OCP', the 'College') with commentary on the proposed amendments to OCP By-Law No. 5 relating to College governance structure. In addition, OPA is providing commentary to proposed amendments to Schedule D of the By-Law to establish annual cost of living increases for registrants, applicants and pharmacies.

OPA is committed to evolving the pharmacy profession and advocating for excellence in practice and patient care. As Canada's largest provincial advocacy organization and continuing professional development provider for pharmacists and pharmacy technicians, the Association represents and supports pharmacy professionals across Ontario and across all practice settings. By leveraging the unique expertise of pharmacy professionals, enabling them to practise to their fullest potential, and making them more accessible to patients, OPA envisions a more efficient and effective healthcare system that is predicated on healthcare's *Quadruple Aim* – enhancing the provision of high-quality patient care, driving cost-efficiency for patients and the overall health system, facilitating and streamlining access to care in a way that improves the patient experience, and optimizing pharmacy workflow, workplace standards, system integration and the overall scope of practice that improves the pharmacy provider's experience within Ontario's health system.

**PROPOSED REVISIONS TO BY-LAW NO.5 REGARDING GOVERNANCE CHANGES**

Generally speaking, the Ontario Pharmacists Association sees no issues with respect to the proposed changes to the College's governance structure.

1. **Reduction in Council Size** – OPA acknowledges that a smaller council/board may enable increased efficiency and cost-effectiveness. This is consistent with best practice as seen in multiple governance models.
2. **Shifting to a Competency-Based Council/Board** – OPA agrees that this is a prudent decision. There are various factors that support this shift, including but not limited to an evolving profession, expansions in scope of practice and increasing reliance on pharmacists and pharmacies to address the growing needs of the population. With this in mind, the Association simply seeks more clarity on:



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- The selection of the categories to which the competencies will address;
- The director profile prior;
- The mechanism as to how “various patient populations” will be defined and how their respective needs will be determined, monitored and updated; and
- How to ensure fair and balanced representation between the various patient populations on the OCP Council/Board.

3. **Separation of Council and Statutory Committees** – OPA has no concerns in this regard and acknowledges the rationale presented in the consultation document.
4. **Other Changes** – While OPA generally supports the concepts and rationale behind the proposed changes to the terms of office or the names of the Council, Council members and Members of the College, we do not agree with the revised criteria for Director eligibility requiring a three-year cooling off period before a former member of a Professional Advocacy Association can be elected as a Director to the OCP Board. Insofar as former members of the OPA Board of Directors are registrants of the College and may have much to offer the OCP Board and staff, we cannot identify any strong rationale to support the need for a cooling off period for former OPA Directors. OPA sees no significant conflicts of interest between the two organizations that cannot be managed through confidentiality clauses, traditional governance policies and by-laws that can identify instances where a conflict might need to be declared.

OPA respects and agrees with the statement made in OCP’s FAQ document that speaks of the need to differentiate the College from other organizations that play a professional advocacy role. While the core mandates of each organization may be different, they do not imply that there can be no overlap or conflict. In fact, we fundamentally support the need and desire for both the Association and the College to maintain and grow our positive working relationship. OPA acknowledges that there is definite overlap in our collective mandates to strive for practice excellence in the delivery of patient-focused team-based care. There is a shared objective between OPA and the College as it relates to OCP’s quality measures associated with (1) medication-related hospital visits, (2) transitions in care, (3) appropriateness of dispensed medications, and (4) patient/caregiver experiences and outcomes. Furthermore, we acknowledge that OPA’s and OCP’s assessment of the drivers and challenges associated with these quality objectives may vary at times, but they do not inherently imply conflicting views and the achievement of these objectives will no doubt be facilitated through continued open and collaborative dialogue between the OPA and the College. OPA understands and appreciates this need to differentiate between the two organizations and looks at this as an opportunity to demonstrate to Association members and indeed all registrants of the College the power of positive stakeholder relations.

### **COST OF LIVING FEE ADJUSTMENTS**

As mentioned in our November 22, 2018 submission to the College on its consultation related to fee increases, the Ontario Pharmacists Association once again acknowledges that:

- There are defined costs associated with working as an individual, operating a business or serving and representing others within an organization – OPA and OCP included; and



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- Costs of doing business are likely going to increase incrementally year-on-year due to various internal and external pressures, and that these would include, but would not be limited to, inflation, taxation, and new or changing legislation, regulations, or policy.

Despite this, the proposed increases in the registrant, applicant and pharmacy fees in line with the consumer price index (CPI) and proposed to take effect for 2021 renewal fees are problematic. Of particular note are the past two successive years of fee increases to the profession. As the sought-after increase of 25 per cent was felt to be excessive, the College opted to split this increase into two 12.5 per cent increments for the 2019 and 2020 renewal years, respectively. Given the enormity of the increases borne by pharmacists and pharmacies over the 2019 and 2020 registration periods, coupled with the recent large impacts of Ministry funding reductions, OPA recommends the deferral of regular annual fee increases in line with CPI until the 2024 renewal year, and our rationale follows below.

In order to illustrate and justify the need for a deferral of fee increases, we would first like to acknowledge certain assumptions as well as information presented in the consultation documents:

- i. The average CPI increase ranges between 1.1 and 2.3 per cent annually (with a midpoint of 1.7 per cent for illustrative purposes);
- ii. Nearly half of Ontario's health regulators have already implemented by-laws to allow for annual fee increases tied to the CPI;
- iii. The last fee increase that had been introduced prior to the changes implemented in 2018 was implemented nine years ago (i.e., 2009); and
- iv. With the two 12.5 per cent fee increases seen in 2019 and 2020, respectively (based on the 2018 OCP fee schedule), we are working on the assumption that the catch-up sought by the College (for nine years of possible fee increases that had not been introduced) was 25 per cent.

Based on these assumptions and information provided in OCP's consultation documents, the corollary to point (ii) implies that there is a majority of health regulators that do not currently have by-laws in place to allow for fee increases tied to the CPI, let alone its median of 1.7 per cent. Despite this, had such an annual increase been implemented in 2009 at the rate of 1.7 per cent, then a 25 per cent overall increase would have been realized approximately 14 years later (i.e., 2023). From this, it is OPA's position that the catch-up sought by the College has already been achieved and in fact carries through 2023. Accordingly, OPA believes this warrants the deferral of any further fee increases until the 2024 renewal year.

As it relates to pharmacy fees, and consistent with our desire to maintain and grow the collaborative relationship between the Association and the College, OPA respectfully requests OCP's consideration of the significant fiscal cuts implemented by the Ministry of Health on pharmacy reimbursement (for traditional, specialty and long-term care pharmacies) effective January 2020 and in place for the next three to five years.

Finally, OPA is of the opinion that the comparison of registrant, applicant and pharmacy fees with those seen in other provinces is baseless as per the following observations:

- There are jurisdictional differences in scope, economic pressures and number of registrants, applicants and pharmacies that warrant differing levels of regulatory oversight and operational burdens;
- There is a presumption that regulatory fees for registrants, applicants and pharmacies in other provincial jurisdictions have been appropriately set when, in fact, this has not been formally established; and,



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- There is the possibility that certain economies of scale in regulator operations exist within large provinces and, as such, a large number of registrants, applicants and pharmacies need not automatically support the rationale for a larger operating budget.

### CONCLUSION

As it relates to the proposed changes to By-Law No. 5, the Association agrees with the College's desire and intent to implement governance changes as this reflects the realities of an evolving profession of pharmacy and the growing societal need for, expectation of and reliance on pharmacy professionals.

On the matter of proposed fee increases for registrants, applicants and pharmacies in alignment with increases to CPI, OPA respectfully requests a deferral of said annual increases until the 2024 renewal year. This deferral is being sought in light of the recent and large OCP fee increases implemented in 2019 and 2020 as well as the challenging fiscal realities facing pharmacy owners in Ontario pursuant to recent, Ministry-driven pharmacy reimbursement reductions.

The Ontario Pharmacists Association appreciates the opportunity to provide the College with these comments and recommendations. Should you have any questions or comments related to this submission, please do not hesitate to contact me at your earliest convenience.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Justin J. Bates".

Justin J. Bates  
Chief Executive Officer

cc: Laura Weyland, President, Ontario College of Pharmacists  
Jen Baker, Chair, Ontario Pharmacists Association  
Allan H. Malek, Executive VP and Chief Pharmacy Officer, Ontario Pharmacists Association  
Angeline Ng, Director, Professional Affairs, Ontario Pharmacists Association