November 27, 2014

By email to Suzanne.McGurn@ontario.ca

Ms. S. McGurn
Assistant Deputy Minister
Health Human Resources Strategy Division
Ministry of Health and Long-Term Care
900 Bay Street, Suite M2-61
2nd Floor, Macdonald Block
Toronto, ON M7A 1R3

Dear Ms. McGurn:

Please accept this letter as the Ontario College of Pharmacists' (the College's) official response to the letters sent by Minister Hoskins on October 2, 2014 and yourself on October 28, 2014.

The College strongly believes that transparency and accountability are pillars of good governance. As a regulator, we recognize our responsibility to ensure that Ontarians have access to relevant, timely, useful and accurate information about their healthcare providers and a clear understanding of regulatory processes. The information must evoke confidence and enhance the public's ability to make informed decisions about their care.

Transparency has been a key strategic priority for the College for many years. In 2012, Council identified transparency – along with accountability and excellence – as a core value and an integral part of the College's 2012 to 2015 Strategic Plan. At the upcoming strategic planning session in early 2015, Council will once again solidify transparency as a core value and identify it as a key priority in the 2015 to 2018 Strategic Plan.

Council recognizes the importance of considering transparency in the ongoing development of all regulatory processes and decision-making. Over the past few years, transparency has been a constant consideration at council meetings with regular updates provided in council reports and minutes. Transparency related issues are regularly communicated to the public and the profession through a variety of communication vehicles including the College's quarterly magazine *Pharmacy Connection,* and on the public website under the Key Initiative for the Transparency Project.

This letter will outline the:

1. Work the College has undertaken in collaboration with the Advisory Group for Regulatory Excellence (AGRE), including a status update and implementation timelines; and
2. Recent, current and future College transparency initiatives, including a status update and implementation timelines

1. Work the College has undertaken in collaboration with AGRE
 Attached: Appendix A – AGRE Recommendations – Status and Implementation Timelines

In 2012 the College – as a member of AGRE – began work on a collaborative project focused exclusively on examining transparency. Along with representatives from medicine, nursing, dentistry, optometry and physiotherapy, the College is working collaboratively on a multi-staged initiative designed to examine information-sharing practices and determine how regulators might make more member-specific information regarding decisions and processes available to the public.

This collaborative and coordinated approach is valuable for all regulatory health colleges to minimize confusion and provide the public with consistent and clear information. The work of AGRE is shared regularly with the councils of all Ontario's health regulatory colleges.

Transparency Principles

One of AGRE's first steps was the development of principles to guide the transparency project and provide a framework for decision-making regarding publicly-available information. The principles - which are now widely used throughout the College to guide all decision-making - demonstrate our openness to transparency and commitment to the public interest:

1. The public needs access to appropriate information in order to trust that this system of self-regulation works effectively.
2. Providing more information to the public has benefits, including improving patient choice and increased accountability for regulators.
3. Any information provided should enhance the public's ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible and accurate.
4. In order for information to be helpful to the public, it must: be timely, easy to find and understand and include context and explanation.
5. Certain regulatory processes intended to improve competence may lead to better outcomes for the public if they happen confidentially.
6. Transparency discussions should balance the principles of public protection and accountability, with fairness and privacy.
7. The greater the potential risk to the public, the more important transparency becomes.
8. Information available from Colleges about members and processes should be similar.

To date AGRE has compared processes and data collection among Ontario's health regulatory colleges and engaged a public research firm to conduct a survey to better understand the type of information the public would find useful when making decisions related to their healthcare. Using the transparency principles, this information was analyzed and has resulted in a recommended two-phased approach for the implementation of changes for the disclosure of specific information regarding decisions and processes. AGRE's recommended two-phased approach was approved for implementation at Council's June 2014 meeting.

Phase one focuses primarily on enhancing the consistency and clarity of existing information, including notices of discipline committee hearings, criminal findings and certain bail conditions. The necessary amendments to College by-laws were approved by Council at the September 2014 meeting and subsequently posted for public consultation, which concluded on November 19, 2014. The final by-laws – which will consider the feedback received – will be brought to Council for approval at the December 2014 meeting. Once the by-laws are approved changes will be made to the public register as quickly as possible.

Phase two recommendations focus primarily on the provision of information relating to outcomes of the College's Inquiries, Complaints and Reports Committee (ICRC), including oral cautions and education orders called SCERPs (specified continuing education and remediation programs). The necessary amendments to College by-laws will be brought to the December 2014 Council meeting for approval. They will be posted for public consultation with the expectation that final by-laws – reflective of consultation feedback – will be brought to Council for approval at the March 2015 meeting.

2. Recent, current and future College transparency initiatives
> *Attached: Appendix B – College Transparency Initiatives – Status and Implementation Timelines*

In addition to the collaborative work with AGRE, the College has recently made, or is considering, a number of changes that support greater transparency either through enhancements to the accessibility and clarity of information and processes, or the disclosure of more information to the public.

Website Re-design

In 2012 the College undertook a comprehensive website re-design project to completely revamp and update our most public-facing communications vehicle. The re-design project was rooted in the College's core values – but most notably in transparency. The purpose of the re-design was to enable visitors to quickly access and understand the information they want in a clear, concise and transparent manner.

To help guide the web re-design project, the College engaged an external research company to provide insight into the question of *who* is coming to our website and *what* information they are looking for. The results of the research helped form the overall content and navigation

strategy – one that is "user-identified" and "task-driven". Although all content currently available on the College's website is accessible by anyone, the re-design created a tailored experience for each of the identified user groups – public, applicants and members. Each group has their own homepage that provides the information our research results identified as the *most important* for them. The new website also introduced a more transparent approach to the public consultation process for proposed regulations, by-laws or policies by publicly posting all comments as they are received.

The website (www.ocpinfo.com) was launched in January 2014 and has significantly enhanced transparency. It provides easier access to clear, concise and relevant information designed to assist the public in making more informed choices about their healthcare, and better understanding the role and responsibilities of the College and Council. While the website re-design project addresses many of the specifics outlined in your letter, the College recognizes that ongoing evaluation, research and enhancements of both content and navigation are necessary to keep pace with the evolving needs of users.

<u>Public Register Re-design</u>

Similarly, building on the principles that guided the website re-design – "user-identified" and "task-driven" – the College is now engaged in an initiative to enhance the public register. As work continues with respect to the type of information made available on the public register, this project recognizes that the ease of access to that information is a vital component to transparency.

At the core of the re-design will be revisions to better assist members of the public with completing basic tasks – such as improvements to how easily they access information about the pharmacies in their neighbourhood, or the practitioners who work there. The College anticipates that the enhanced public register will launch in the summer of 2015.

<u>Posting of Inspection Results</u>

Effective July 1, 2013 following the necessary by-law changes, the College began posting the status and/or outcome of accredited pharmacy inspections on the public register. Similarly when the College was granted the authority to inspect drug preparation premises (DPPs) the status and/or outcome of these inspections were also added to the public register. This same disclosure will be provided for hospital pharmacy inspections once authority has been granted.

To support clarity and understanding regarding the posting of inspection status and/or outcome, the College added definitions and updated web content describing the inspection process.

Although this has been a good first step and meets a number of the specific criteria outlined in your letter, we acknowledge that we have more work to do in this regard. Outlining the minimum disclosure requirements is helpful and the College is moving quickly to identify and implement the necessary changes.

Additionally, we are confident that the work currently underway on the public register re-design will support greater transparency relating to inspections through enhancements to navigation, presentation, accessibility and clarity of both information and processes.

In closing, we would like to emphasize and reaffirm our commitment and understanding of the importance of transparency in upholding our mandate of public protection and maintaining the public's trust and confidence in self-regulation. We acknowledge that transparency is not something to be achieved but rather a foundational value that must be consciously considered and diligently applied to all of the work that we do.

We look forward to continuing to work together with the Ministry and the health regulatory colleges as we collectively identify and implement measures to enhance transparency, and ensure the public has access to the information that they need to make informed choices about their healthcare.

Respectfully submitted,

Mark Scanlon   Marshall Moleschi
President   CEO and Registrar
Ontario College of Pharmacists   Ontario College of Pharmacists

Appendix A: AGRE Recommendations – Status and Implementation Timelines
Appendix B: College Transparency Initiatives – Status and Implementation Timelines

cc: Posted on the OCP website www.ocpinfo.com
           Honourable Dr. Eric Hoskins, Minister of Health and Long-Term Care, MOHLTC
           Dr. Bob Bell, Deputy Minister, MOHLTC
           Helen Angus, Associate Deputy Minister, Policy and Transformation, MOHLTC
           John Amodeo, Director, Health Systems Labour Relations and Regulatory Policy
           Branch, MOHLTC
           OCP Council Members

Appendix A: AGRE Recommendations – Status and Implementation Timelines

Recommendation	Status & Timeline
PHASE ONE: AGRE Recommendations: Council approved: June 2014	
Date referred to Discipline Committee	Already available on Public Register.
Discipline Committee status	Already available on Public Register.
Full Notice of Hearing	Council approved draft by-law for consultation: **September 2014** Public consultation concluded: **November 19, 2014** Final by-law to Council for approval: **December 2014** Planned implementation: **January 2015**
Criminal findings of guilt (relevant)	
Bail conditions (relevant)	
Non-members practising illegally	Does not currently apply. College would immediately make information publicly available if/when individual(s) were identified.
PHASE ONE: Other Actions	
Enhanced website description of what member info is/is not available	Planned changes to the College's 2014 Annual Report (published in **March 2015)** will help explain why some information is kept confidential. Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**
Public information available promptly on website	Information on the College website is updated upon receipt and confirmation of accuracy.
Consistent approach to number and names of ICRC outcomes, definitions and criteria	Agreement reached through AGRE on number and names of ICRC outcomes. Continued work with AGRE and Internal Working Group on definitions and criteria
Review of public register using best practice guidelines and recommendations to evaluate navigation, search, information access, clarity and relevance	Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**
PHASE TWO: AGRE Recommendations: Council approved: June 2014	
Names of former members (fact + date of death, if known)	Already available on Public Register.
Health facility privileges	Does not currently apply.

Recommendation	Status & Timeline
Criminal charges (relevant to practice)	Council to approve draft by-law for consultation: **December 2014**
	Public consultation scheduled for 60 days
Known licences in other jurisdictions	Final by-law to Council for approval: **March 2015**
	Planned implementation: **Summer 2015**
Known discipline findings in other jurisdictions	Already available on Public Register.
Discipline Committee - No findings	This requires a legislative change.
Undertakings	Already available on Public Register:
ICRC: Oral cautions	Council to approve draft by-law for consultation: **December 2014**
	Public consultation scheduled for 60 days
ICRC: SCERPS	Final by-law to Council for approval: **March 2015**
	Planned implementation: **Summer 2015**
PHASE TWO: Other Actions	
Increased focus on data analysis to inform regulatory activities and public reporting	Statistician hired **Spring 2014**. First input to be reflected in 2014 Annual Report (published in **March 2015**).

Appendix B: College Transparency Initiatives – Status and Implementation Timelines

Recommendation	Status & Timeline
Pharmacy Inspection-related Information: Current authority includes Community Pharmacies and Drug Preparation Premises – anticipate authority (passing of Bill 21) for Hospital Pharmacies	
Purpose of Inspection	Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015** Enhancements to website content planned to coincide with launch of re-designed Public Register.

Results of inspection
  -Reasons for those results
  -Deficiencies identified
  -Conditions applied
	Public Register currently displays the status and/or outcome of inspections (pass, pass with conditions or fail).
	• Community pharmacies as of **July 2013**
	• Drug preparation premises as of **August 2013**
	
	Recently re-designed website has clear and understandable content on the About the Public Register page, including definitions for inspection outcomes:
	• *Pass* – pharmacies receive a pass when they meet all requirements of the inspection program.
	• *Pass with conditions* – when a pharmacy receives a pass with conditions, details regarding the specific conditions are provided. The pharmacy will need to comply with the specified requirements.
	• *Fail* – when a pharmacy receives a fail the pharmacy is closed to the public – thereby removing any potential risk to the public. The reasons for the fail outcome are provided.
	
	Enhancements planned as a result of the Public Register re-design project.
	Planned implementation: **Summer 2015**
	
	Enhancements to website content planned to coincide with launch of re-designed Public Register.

Council and Committee-Related Information:	
Provide clarity and ease of access to information about role of Council, including constitution, functions and decision-making process	Recently re-designed website has clear and understandable content on the Council page and Council and Committees page. Additional information is available in the newly published Governance Manual.
Provide clarity and ease of access to information about role of Statutory Committees including constitution, functions and decision-making processes	Recently re-designed website has clear and understandable content on the Committees page and Council and Committees page. Additional information is available in the newly published Governance Manual. Plans to revise the statutory committee webpages to include specific information about roles, composition and functions.

Recommendation	Status & Timeline
Provide clarity and ease of access to notices of Council meetings and Council meeting materials	Council meeting agenda and subsequent Council Reports and Minutes already available. Addition of council meeting materials to begin at Council's March 2015 meeting.
Regulatory Process-Related Information:	
Be clear about what kind of information is not provided to the public – context and principles that contributed to decisions not to disclose information	Planned changes to the College's 2014 Annual Report (published in **March 2015)** will help explain what information is kept confidential. Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**
Be clear about reasons why public disclosure of some information is not within the public interest mandate of the College	Additional enhancements planned to the Inspections Process page and Complaints and Reports section. Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**
Help patients understand their rights under the *Regulated Health Professions Act* and the *Pharmacy Act*	Enhancements planned to the Your Rights page on the website.
Provide clarity and ease of access to information about process for making new, amending or revoking policies, by-laws and regulations	Recently redesigned website has new process for public Consultation including clear and understandable content about the Consultation Process. Enhancements planned to the Regulations & Standards page on the website.
Provide clarity and ease of access to info about the process to submit a complaint	Recently re-designed website has clear and understandable content in the Complaints and Reports section. Planned enhancements include additional content adjustments and creating an online fillable PDF for filing complaints.
Registration-Related Information:	
Provide clarity and ease of access to information about the College's processes relating to registration assessments for applicants and related fees for these assessments	Recently re-designed website has clear and understandable content in the Register as a Pharmacist and Register as a Pharmacy Technician sections. Significant enhancements were made to info about assessments and a new Fees and Timelines section shows each applicant type the average cost and time required to register.

Recommendation	Status & Timeline
Other Information:	
Help patients to better understand the role of the College	Recently re-designed website has clear and understandable content on the About the College page and Protecting the Public page. Recently published Role of the College video targeted to the public.
Help patients to make better choices about their care	Recently re-designed website has clear and understandable content on the You and Your Pharmacy page. Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**
Help patients get more information about the type and quality of care they might expect	Enhancements planned for the Tips on Managing Your Care webpage. Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**
Help patients get more information about who will provide their care	Recently re-designed website has clear and understandable content on the People in Your Pharmacy page. Enhancements planned as a result of the Public Register re-design project. Planned implementation: **Summer 2015**