



COUNCIL

Thursday, March 10, 2010

MINUTES

Present:

G. Fieber, Chair	N. Florent	C. Genereux
J. Bald	L. Harrington	A. Patel
F. Bari	T. Holland	S. Pendock
Y. Blackwood	G. Isgro-Topping	J. Powell
D. Bockman	E. Kerr	Y. Ramlall
L. Bracken	D. Kimberley	C. Ritchie
J. Coutts	J. King	J. Rock
G. Cucchi	J. Leznoff	M. Seawright
J. Dobie	M. Lim-Serrano	P. Stewart
L. Duffield	W. Malesh	M. Tuomi
B. Etmanski	C. McMaster	A. Verrier
S. Finan	L. O'Hearn-Grant	K. Voycey
		A. Wills

Regrets:

B. Dowson	S. Thomson
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Staff:

H. Campbell	J. Hofbauer, Recorder	P. Reinhart
A. Coghlan	K. McGovern	C. Stanford

AGENDA The agenda had been circulated.

MOTION 1 Moved by J. Powell, seconded by L. Bracken,

That the agenda for the March 10, 2010 Council meeting be accepted.

CARRIED

MINUTES Minutes of the Council meeting of December 3, 2009 had been circulated.

MOTION 2 Moved by J. Coutts, seconded by M. Lim-Serrano,

That the minutes of the Council meeting of December 3, 2009 be approved as circulated.

CARRIED

CONFIDENTIAL MINUTES The confidential appendix for the December 2009 Council meeting had been circulated.

COUNCIL MINUTES – March 10, 2010**MOTION 3**

Moved by S. Finan, seconded by E. Kerr,

That the confidential appendix to the Minutes of the December 3, 2009 Council meeting be approved as circulated.

CARRIED

EVALUATION

Council members received a summary of the evaluations of the December 2009 Council meeting. G. Fieber noted that the feedback provided through the evaluation process is helpful in considering process changes.

STRATEGIC PLAN

Council received a summative report of the accomplishments related to implementation of the Strategic Plan. The report addressed the four regulatory elements, and two areas impacting regulatory effectiveness: operations and governance. For each of the topics addressed, the report provided a snapshot of where CNO was when the plan began (2005); and where CNO is now (2010). The report also highlighted evidence indicating that the College was on course with the strategies.

A. Coghlan highlighted supplemental evidence illustrating that the College is on course with its Strategic Plan and that the strategic directions taken have positioned the College to meet new regulatory requirements.

It was identified that the report reflects the College's proactive approach and that directions taken have supported the College in meeting the new legislative imperatives and enhancing public protection.

**QUALITY
ASSURANCE FEES**

Due to a change in wording of the Quality Assurance regulation, it is necessary to change the wording of Articles 9.2 and 9.3 of By-Law 2: Fees related to quality assurance fees. The amount and applicability of the fee have not changed from the Articles approved by Council in September of 2009.

MOTION 4

Moved by G. Isgro-Topping, seconded by Y. Blackwood,

That the amendments to Article 9 of By-Law 2: Fees, as shown in Column 2 of attachment 1 to the briefing note, be approved for circulation and notice to the membership and stakeholders.

CARRIED

ASSESSMENT FEES

P. Reinhart highlighted the proposed changes to assessment fees and the proposal for a for Nurse Practitioner Prior Learning Assessment and Recognition (PLAR), as recommended by the Finance Committee:

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Application – Canadian (RN, RPN, NP)	\$50.00
Application – International RPN	\$200.00
Application – International RN	\$600.00
Application – International NP	\$200.00
NP Application for PLAR	\$1000.00

Council was reminded that assessment fees were last increased in 2003, prior to the 2005 changes to the entry-to-practice requirements. The proposed fees are based on an analysis of the College’s direct costs and reflect the principle of cost-recovery for applicant services.

A member of the Registration Committee noted that a significant increase in the amount of work involved in getting applications ready for consideration by the Registration Committee is apparent in the materials received.

It was identified that the College has been involved in the development of a National Assessment Service, which will address the issue of applicants who apply to multiple jurisdictions.

It was clarified that the fee for international assessment of Nurse Practitioners (NPs) is less than the fee for international RNs because where the NP program is unknown to the College, the applicant will be required to complete the Prior Learning Assessment and Recognition, for which the fee is \$1,000.

It was noted that the College’s assessment fees are comparable with or less than assessment fees of other professions. Council was informed that the College is working with an outside service seeking government support for an RN and RPN PLAR process.

MOTION 5

Moved by L. Harrington, seconded by J. Bald,

That the amendments to the By-Law 2: Fees, as shown in column 2 of attachment 1 to the briefing note, be approved for circulation and notice to the membership and stakeholders.

CARRIED

**LIABILITY
INSURANCE**

T. Bardell provided an update to Council on the issue of liability insurance. It was noted that, when proclaimed, the legislation will require that health professionals are “personally insured against professional liability.” Most employer insurance will not meet the legislative requirements.

While the legislation amending the RHPA passed in mid-December, time is being given to regulatory bodies and government to pass regulations and by-laws and set up system changes to meet the requirements prior to proclamation of the liability provisions.

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In June, Council will receive draft regulations and by-laws, for consideration for circulation to members and stakeholders. It is anticipated that government will pass the regulations in 2011 and that the requirement will be in place for the 2012 annual renewal.

The College has developed an extensive communication plan, beginning with the information that will accompany the circulation of the proposed regulation and by-laws.

QUALITY
ASSURANCE
UPDATE

J. Anderson and A. Ellenor provided an update on the roll-out and ongoing development of the Quality Assurance Program, for information.

Council was informed that that on April 2nd the College will select the first group for Practice Assessment – 400 members of the general and transitional classes and 200 Nurse Practitioners. There will be a second cycle in September for those Nurse Practitioners selected to participate in chart review and any members deferred from Phase I.

J. Anderson updated Council on the development of the peer assessor role and plans for automation of the Quality Assurance program. It was clarified that Peer Assessors will be casual staff.

COMMITTEE
REPORTS

G. Fieber noted that statutory committees have a critical role in supporting the College in meeting its public protection mandate. Each year, in accordance with Section 11 of the *Code*, reports of statutory committees are presented to Council, for information and discussion.

Inquiries, Complaints and Reports Committee (ICRC)

G. Fieber highlighted the use of a new authority at the screening committee. The ICRC can now require a member to complete a specified continuing education or remediation program (SCERP) to address a specific area of concern. This provides a remedial approach and quick outcome for matters not requiring a referral to the Discipline Committee or where there is not sufficient evidence to prosecute the matter.

Discipline Committee

L. Bracken highlighted the report of the Discipline Committee. She informed Council of an increase to 84.4% of the reasons released in less than 60 days. She noted that the committee requested and received the full support of the College for an online decision-writing process. The process is in the testing stage with full implementation expected shortly.

The scope of pre-hearing conferences was discussed. These conferences focus on ensuring that issues that can be worked out at the pre-hearing stage are addressed, resulting in more efficient hearings.

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Fitness to Practise Committee

J. King highlighted the report of the Fitness to Practise Committee. She noted that the committee has experienced a 50% increase in matters. In 2009, 78% of matters were resolved by consent order.

Council was informed of the challenges of addressing the increased workload with existing committee membership. A new scheduling approach is being used, with the panels meeting on specific days.

Quality Assurance Committee

C. Genereux highlighted the report of the Quality Assurance Committee. The focus of committee activity over the past year has been on revisions to the Quality Assurance Program and the processes, policies and tools that support the program. She reminded Council that practice review had been suspended for 2009 to allow for program development and that practice assessment will commence in 2010.

Registration Committee

B. Etmanski highlighted the report of the Registration Committee. Of the 1,224 applicants referred to the committee in 2009, 390 were refused registration. The Baccalaureate Equivalency Working Group provides expert advice to the Registration Committee about the equivalence of an applicant's combined education and experience to Ontario's entry to practice competencies.

EXECUTIVE
DIRECTOR
UPDATE

H. Campbell highlighted the development of the National Nursing Professional Regulatory Standards, which is being co-led by CNO and the College of Registered Nurses of Manitoba. The national standards will promote safe mobility and be applicable to every nurse, no matter the category (RN, NP, RPN) or role. The second draft of the standards will be subject to wide membership consultation.

A. Coghlan informed Council that suspensions for non-payment of fees will come into effect on March 11th. With the revision to the legislation, the notice provision for suspension was reduced from 60 to 30 days. In 2011, the College plans to send notices of intention to suspend in early January. The processes that the College has put in place to reduce the number of members who register late were highlighted.

The College is involved in the establishment of the Canadian Council of RN Regulators. It was noted that there is a national organization of LPN/RPN regulators but that the College does not belong because the organization's approach does not focus solely on regulatory matters.

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The College has recently undergone an audit of its registration practices for the Office of the Fairness Commissioner, as required in the legislation. The audit process was highlighted. CNO has received the draft report from the auditor and will have an opportunity to respond to the recommendations.

Council was informed that Find a Nurse has resulted in an 86% reduction in calls to customer service for register information.

It was noted that forms to volunteer to serve as a statutory committee member are available on the College's web site until April 15th.

EXECUTIVE

Draft minutes of the Executive Committee meeting of February 11, 2010 had been circulated for information.

**FINANCE
COMMITTEE**

T. Holland highlighted the report of the Finance Committee meeting of February 10, 2010. She noted that the year end deficit of \$1.2 million (compared with the budgeted deficit of over \$3 million) may increase due to adjustments for contingent legal liability and unfunded pension plan liability. The Finance Committee is recommending approval of the financial statements.

MOTION 6

Moved by T. Holland, seconded by L. Harrington,

That the unaudited financial statements for the year ended December 31, 2009 be accepted.

CARRIED

T. Holland reported that the Finance Committee held a pre-audit meeting with the auditors. The auditors informed the Committee that a preliminary review had been undertaken and confirmed that the College has strong internal controls.

The Finance Committee also reviewed and recommended changes to application fees.

SCRUTINEERS

Council ratifies the scrutineers for the election of Council officers.

MOTION 7

Moved by L. Bracken, seconded by C. Voycey,

That the appointment of S. Finan, T. Holland and D. Kimberly as scrutineers for the June 2010 election of officers be ratified.

CARRIED

**APPOINTMENT OF
ELECTION
& APPOINTMENTS
COMMITTEE**

The Executive is recommending by-law changes to shift the timing of the appointment of the Election and Appointments Committee to June.

This approach will allow experienced members, who may be outgoing in June, to serve on the committee.

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The change in timing requires changes to the General By-Law and the committee's terms of reference. Council was reminded that a 2/3 majority is required for passage of a by-law.

MOTION 8

Moved by D. Bockman, seconded by A. Verrier,

That the following amendments be made to By-Law 1: General:

Article 14:

14.01 Save and except for the filling of vacancies, appointments to statutory and standing committees, ~~other than the Election and Appointments Committee~~ shall take place at the June Council meeting.

Article 24:

24.03 The members of the Election and Appointments Committee shall be appointed by Council at the ~~regular meeting of Council held in the last quarter of the calendar year~~ **June Council meeting**, upon recommendation of the Executive Committee.

24.04 The term of office of the Election and Appointments committee shall be from the time of appointment of the committee members until a new committee is appointed by Council at the ~~regular meeting of~~ **June Council meeting** held in the ~~last quarter of~~ the following calendar year.

CARRIED

MOTION 9

Moved by J. King, seconded by B. Etmanski,

That the Membership section of the Terms of Reference for the Election and Appointments Committee be amended as set out in Attachment 1 to the briefing note.

CARRIED

**ELECTION &
APPOINTMENTS
CHAIR**

The Executive Committee recommends the Chair of committees to Council.

MOTION 10

Moved by J. Coutts, seconded by Y. Blackwood,

That J. Powell be appointed as Chair of the Election and Appointments Committee until June 2010.

CARRIED

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CONCLUSION At 3:15 p.m., it was,

MOTION 11 Moved by A. Verrier, seconded by L. Duffield,

That Council conclude.

CARRIED

Chair