

Minutes

Present

C. Evans, Chair	J. Jamieson	M. Sheculski
C. Barnet (Wednesday)	A. Jewell	N. Thick
F. Cardile	D. Lafontaine	A. Vidovic (Wednesday)
D. Cutler	M. MacMillan-Gilkinson	K. Wagg
R. Davidson	C. Manning	D. Walia
T. Dion	N. Osbourne James	C. Ward
C. Egerton	K. Patterson (Thursday)	T. White
A. Fox	T. Perlin (Thursday)	H. Whittle
G. Fox	J. Petersen	C. Williams
D. Graystone	D. A. Prillo	I. Wiltshire-Stoby
T. Holland	S. Robinson	C. Woodbury
	G. Rudanycz	

Regrets

C. Barnet (Thursday)	T. Perlin (Wednesday)	A. Vidovic (Thursday)
K. Patterson (Wednesday)		

Guests

J. Risk	P. Dickison
---------	-------------

Staff

J. Anderson	F. Ismail	S. Mills
A. Coghlan	D. Jones	C. Stanford
J. Hofbauer, Recorder	B. Knowles	C. Timmings
E. Horlock	K. McCarthy	

Announcement

Council was informed that staff will be live tweeting Council meetings. C. Evans noted that staff will respond to comments, where needed. She encouraged Council members to share tweets.

Council was informed that guidelines are being developed to assist Council and committee members in supporting CNO's growing social media presence.

Agenda

The agenda had been circulated. C. Evans informed Council that the Executive Director and CEO's report will be moved to Thursday.

Motion 1

Moved by F. Cardile, seconded by T. Holland,

That the agenda be approved as amended.

CARRIED

The Executive Committee had recommended a closed session.

Motion 2

Moved by D. Cutler, seconded by T. White,

That the Council meeting be closed at 3:00 p.m. on Wednesday, March 20, 2019 under Section 7(2)(b) of the *Health Professions Procedural Code*, because "*financial or personal or other matters may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of adhering to the principle that meetings be open to the public.*"

CARRIED

Minutes

Minutes of the Council meeting of December 5 and 6, 2018 had been circulated.

Motion 3

Moved by A. Jewell, seconded by S. Robinson,

That the minutes of the Council meeting of December 5 and 6, 2018 be approved as circulated.

CARRIED

Governance Workgroup Report

Council was updated on the engagement with government following submission of the request for the legislative amendments needed to implement Vision 2020.

C. Evans noted that Council will experience the vision in action later in the meeting with statutory chair and non-Council committee member appointments made based on the candidates' meeting competencies and attributes needed for the roles.

Council was informed that work over the next six months will be largely operational, including engaging with government and developing other aspects of the vision such as terms of reference for the Nominating Committee.

RN Prescribing

J. Risk, legal counsel, joined the meeting. C. Evans reminded Council of its vision that RN prescribing will be safe. R. Jabbour, Strategy Consultant, highlighted the journey to develop the regulation that had been circulated and the feedback to the regulation. She noted that an editorial change has been made to the regulation to address a minor omission in the original draft.

Council was informed that, if the regulation amendments are approved, the next step will be the development of a by-law to allow CNO to identify RNs authorized to prescribe on Find a Nurse. That work will be done when CNO has more information about the government's plans for the regulation.

There was support in the consultation for expanding the prescribing authority for RNs. It was identified that the current drug categories were selected based on Council's evidence-informed vision of safe prescribing and the current legislative framework for RN prescribing. It was confirmed that this is a first step and will be evaluated in the future to determine opportunities for change.

It was confirmed that once the regulation is approved, there will need to be a process to review and update the list of drug categories. CNO will set up a cyclical process for reviewing the needs of patients and the evidence to determine whether changes are needed and can be implemented given Council's vision. Any change will require a regulation amendment.

Motion 4

Moved by G. Rudanycz, seconded by G. Fox,

That proposed amendments to Part III (Controlled Acts) and Part V (Delegation) of Ontario Regulation 275/94 (General) under the *Nursing Act, 1991*, as shown in Attachment 1 to the briefing note, be approved and submitted to the Minister of Health and Long-Term Care.

CARRIED

Follow-up Action

Submit proposed regulation to Minister of Health and Long-Term Care.
Executive Director and CEO

Controlled Act of Psychotherapy

A. McNabb highlighted the history of the regulation to allow RNs and RPNs to continue to perform the controlled act of psychotherapy once the exemption period expires. It was noted that the consultation was largely supportive of the proposed regulation.

Motion 5

Moved by T. White, seconded by N. Thick,

That the proposed changes, as shown in Attachment 1 to the briefing note, to Part III, Controlled Acts of Ontario Regulation 275/94: General, as amended, made under the *Nursing Act, 1991* be approved and submitted to the Minister of Health and Long-Term Care.

CARRIED

J. Risk left the meeting

Follow-up Action

Submit proposed regulation to Minister of Health and Long-Term Care.
Executive Director and CEO

Employer information on the register

Council was reminded that it had approved the proposed amendments to the Register By-Law in December 2018, for circulation. The proposal balanced providing information that is needed by employers and the public without providing more information than needed. The feedback was diverse, with different stakeholders having different perspectives. C. Evans reminded Council that by-law amendments require a 2/3 majority.

Motion 6

Moved by C. Egerton, seconded by R. Davidson,

That Council approve the amendment of CNO's By-Law No. 1: General by revoking paragraph 2 of Article 44.1.06 and substituting the following:

2. Where a member is or has been engaged in nursing practice during the previous three calendar years, the name and address of all persons and businesses for whom or through which the member engages or engaged in nursing practice during those years, whether in Ontario or any other jurisdiction, including the year on which the member commenced practice and the year on which the member ceased practice, if applicable, for each of those persons or businesses.

CARRIED

Fees by-law

It was identified that nurses have an accountability in legislation and by-law to report information to CNO. The implementation of a fee for nurses who do not provide this information is meant to serve as a deterrent to nurses who fail to report.

It was confirmed that the proposed by-law is in the public interest. It is important that prospective employers have up-to-date information on prospective employees.

As an initial priority, CNO will implement a communications plan to inform nurses of their accountability to keep information on the register up-to-date.

Motion 7

Moved by S. Robinson, seconded by A. Jewell,

That Council approve the amendment of CNO's By-Law No. 2: Fees to add a new fee under the heading "OTHER FEES" as article 9.1.03 as follows:

9.1.03 Where the member fails to comply with Article 44.2.06 of the College's By-law No. 1: General and the College subsequently is required to revise its register to reflect information thereafter provided by the member, the member shall pay an administrative fee of \$100.00.

CARRIED

Follow-up Action

Update By-Laws.
Update Register to include additional employer information.
Implement education for nurses re. requirements and fee.
Executive Director and CEO

Register By-Law: NP Prescribing of Controlled Substances

In March 2018, Council had approved for circulation draft amendments to the Register By-Law related to the identification of Nurse Practitioners who are authorized to prescribe controlled substances. Final decision on the proposal was deferred to allow for further consultation, including consultation on the language to be used on the register. It was noted that there is general support for the approach, particularly for removal of the term restriction.

Two amendments were considered, the first is substantive and the second is an editorial amendment to a definition.

Motion 8

Moved by G. Fox, seconded by N. Thick,

That Council approve the amendment of Article 44.1.06 of By-Law No. 1: General, to delete paragraph 7 and to substitute the following:

7. Where a member holds an extended class certificate of registration as an RN (Nurse Practitioner) but has not met the requirements under the regulations made under the Nursing Act, 1991 to prescribe controlled substances, a notation to that effect.

That Council approve the following edit to Article 1.01 of By-Law No. 1: General, to replace “paragraph 5.02” with “paragraph 8”:

“restricted by a lawful authority of Canada”, as that phrase is used in paragraph ~~5.02~~ 8 of Article 44.1.06, includes a situation where a notice pursuant to the Controlled Drug and Substances Act (Canada) and/or its regulations has been issued that directly or indirectly affects a member’s ability to prescribe, procure, provide and/or dispense a controlled substance.

CARRIED

Follow-up Action

Update By-Laws.

Update Register to remove “restriction” from NPs who are not authorized to prescribe controlled substances.

Executive Director and CEO

Statutory Committee Annual Reports

C. Evans flagged the importance of statutory committees to meeting CNO’s mandate to protect the public. It is a legislative requirement that statutory committees report to Council.

Patient Relations Committee

C. Evans highlighted the report of the Patient Relations Committee. She noted the number of sexual abuse cases have been increasing. Council was informed that the difference between the number of matters received and the number addressed relates to matters in process. One applicant was approved for funding for therapy related to alleged sexual abuse by a nurse.

Inquiries, Complaints and Reports Committee

C. Evans highlighted the ICRC annual report. She noted that the number of complaints and reports and investigators appointed continue to rise. CNO is considering adding another ICRC panel to address the volume increase.

F. Ismail noted that increases in reports and complaints reflect increasing awareness of CNO’s role. The work being done to address the increasing volumes was highlighted.

Discipline Committee

G. Fox highlighted the report of the Discipline Committee. She noted that the committee has embraced the use of MeetX for drafting and reviewing decisions and reasons, which removes privacy risks. A review of the criteria for selection of panel and pre-hearing chairs is underway.

Fitness to Practise

R. Davidson highlighted the annual report of the Fitness to Practise Committee on behalf of C. Williams. The number of matters addressed by the committee was reviewed. It was noted that addressing consent orders using MeetX has resulted in efficiencies.

Quality Assurance Committee

J. Jamieson highlighted the annual report of the Quality Assurance Committee. He reported that 87% of participants in practice assessment successfully exited the program in 2018 and 5.2% remained in remediation at year end.

Registration Committee

C. Ward highlighted the report of the Registration Committee. She noted that the committee reviewed 920 matters. Of those, the committee decided that an applicant met the registration requirement in 81.5%.

It was noted that the bulk of matters related to language proficiency. Council was informed that there are many ways for applicants to demonstrate language proficiency.

C. Evans thanked the chairs and members of the statutory committees for their contribution to nursing regulation.

Executive Committee

Minutes of the Executive Committee meetings of February 21, 2019 and March 6, 2019 had been circulated. C. Evans highlighted the meetings.

Finance Committee

C. Manning reported on the Finance Committee's meeting of February 21, 2019. The committee had reviewed the unaudited financial statements for the year ended December 31, 2018. Council was informed that, while the year end deficit is \$3.3M less than budgeted, it is consistent with the estimates on which the 2019 budget was prepared. The accumulated surplus remains within Council's guidelines of 3 to 6 months' operating expenses.

Motion 9

Moved by C. Manning, seconded by C. Egerton,

That the unaudited financial statements for the year ended December 31, 2018 be approved.

CARRIED

The Finance Committee met with the auditors to discuss the process for the 2018 audit. An in-camera session was held with the auditor.

Fees by-law

The Finance Committee is recommending changes to the Fees By-Law. These changes do not require publication.

Motion 10

Moved by C. Manning, seconded by A. Vidovic,

That, effective June 1, 2019, By-Law No. 2: Fees be amended by the revocation of article 8.05 and by amendment of articles 8.06 and 8.08 as they appear in attachment 3 to the Finance Committee report.

CARRIED

C. Manning noted that the Finance Committee is recommending members of the Sub-Committee on Compensation.

Scrutineers

C. Egerton, Chair of the Election and Appointments Committee drew names of Council members to serve as scrutineers for the election of the Executive Committee.

Motion 11

Moved by R. Davidson, seconded by C. Barnet,

That the scrutineers for the election of the 2019-2020 Executive Committee be: A. Jewell, D. Lafontaine and T. White.

CARRIED

Executive Director Update

A. Coghlan noted that one update will be deferred until Thursday.

Council was informed that interest in Vision 2020 continues to grow. The Minister of Health and Long-Term Care has received letters of support for the vision from other Ontario health regulators, citing Council's leadership. Since the December 2018 Council meeting, CNO has presented to two colleges and will be presenting to several others in the next few weeks. Vision 2020 is also being referenced in web-casts and conferences about regulation and regulatory governance.

The Canadian Council of Registered Nurse Regulators (CCRNR) devoted a full day of a recent meeting to governance. C. Evans reported on the presentation she and K. McCarthy gave on Vision 2020. She noted that there is significant interest in modernizing regulatory governance and in Council's vision. She reported that CNO is seen as a leader and regulatory colleagues appreciated CNO sharing its work and journey. The presentation on Vision 2020 served as a springboard for a discussion about the role of the regulator in a changing world.

A. Coghlan reported on collaborative work being done by the Canadian Councils of RN and PN regulators. She noted that there is discussion about why there are three national nursing regulatory tables and whether there is opportunity for proactivity. One challenge is that many Canadian nurse regulators have a dual role as regulator and professional association.

Council was informed that provincial nurse advisors have a national table and they are discussing the future of nursing in Canada. They are embarking on a consultation and engaging nursing stakeholders. A. Coghlan will be participating representing CNO and will ask how the public will be engaged. A. Coghlan will update Council in future.

The Canadian Council of RN Regulators is continuing its collaborative work on the regulation of Nurse Practitioners. Common NP entry-to-practice competencies have been developed and are being used by regulators across Canada. CCRNR has initiated a new project to provide recommendations to advance coordinated, and where possible, standardized approaches to the regulation of NPs in Canadian provinces and territories. Consultation will be take place across the country and final recommendations are expected in the fall of 2019.

C. Timmings, Director of Practice Quality was introduced.

In response to a question, it was noted that CNO has not received a formal response to the Vision 2020 legislative submission. However, CNO has started engaging with Ministry staff to discuss the needed changes.

Risk-based regulation and sexual abuse

C. Evans highlighted the serious harm caused to patients by sexual abuse. She reminded Council that, in September 2018, CNO's risk-based regulation project was introduced and Council also heard from David Collie about the results that the Electrical Safety Authority achieved through a risk based approach.

C. Evans noted that addressing sexual abuse is part of the mandate of the Patient Relations Committee. The committee will engage with Council as the work proceeds.

E. Tilley, Strategy Consultant, outlined CNO's research methodology and initial findings about sexual abuse of patients by Ontario nurses. Following the presentation, Council discussed the findings and shared some preliminary ideas about strategies to reduce sexual abuse. It was suggested that the results of CNO's research be shared with other regulatory bodies. C. Evans noted that Council will be updated and engaged in further discussions as the work continues to develop.

Strategic Performance Report

Council received the 2018 strategic performance report. C. Evans pointed out the improvement in the KPI about the electronic provision of Council and committee materials. The other indicators highlighted were the number of days to register applicants and the number of days to address complaints. In both cases, as a result of changes made by CNO, the timeframes have reduced but are still far from the targets.

There was discussion about the KPI for employer commitment. It was noted that the KPI reports on one tool. The onus is on the employer to ensure that nurses that they employ are currently registered. CNO makes the information available in a variety of ways.

It was pointed out that while the KPI related to nurse engagement is strong, it is not reflected in the elections where a small percentage of eligible nurses voted. Council was informed that this is common among regulators and indicates that the election is not an effective way to engage nurses. Nurses have been engaged in responding to proposed standards and regulatory changes such as RN prescribing.

Recess

At 3:10 p.m. Council recessed and moved into closed session. Council reconvened in open session at 9:00 a.m. on Thursday, March 21, 2019.

Thursday, March 21, 2019

Election of the Executive

C. Egerton chaired the election of the Executive Committee. Following announcements of the candidates and calls for nominations from the floor, the following were acclaimed as the 2019-2020 Executive Committee:

Cheryl Evans	President
Ashley Fox	Vice-President, RPN
Judy Petersen	Public member
Cathy Ward	Public member
Heather Whittle	Vice-President, RN

Executive Director Update

A. Coghlan reminded Council that CNO's current Strategic Plan runs until the end of 2020. She informed Council of progress made in plans for developing a new Strategic Plan. There will be a Steering Committee comprised of the 2019-2020 Executive Committee, Chiefs and the Directors of Communications and Strategy.

There will be opportunities for engagement with Council at each meeting in the 2019-2020 Council year, culminating with approval of the plan in March 2020. That timeframe will allow for consideration of implementation of the new plan in developing the 2021 budget.

Statutory Chair appointments

The Executive is recommending statutory committee chairs based on the chair profile identified as part of the implementation of Vision 2020. Volunteers completed an online self-assessment based on the chair competencies and attributes. C. Egerton thanked all volunteers.

Motion 12

Moved by D. Prillo, seconded by G. Fox,

That Council appoint the following 2019-2020 statutory committee chairs:

Discipline	T. Holland
Fitness to Practise	N.Thick
Quality Assurance	M. Sheculski
Registration	J. Petersen

CARRIED

Chair – Conduct Committee

The Executive Committee recommended that T. Perlin be the Chair of the Conduct Committee.

Motion 13

Moved by S. Robinson, seconded by T. White,

That T. Perlin be the Chair of the 2019-2020 Conduct Committee.

CARRIED

Committee appointments

C. Egerton presented the report of the Election and Appointments Committee (EAC) and its recommendations for committee appointments (attachment 1 to the minutes). She noted that this year, as decided by Council, appointment of non-Council committee members based on competencies and attributes was piloted.

Council was informed that more Council member volunteers are needed for the Conduct Committee (two nurses and one public member) and Finance Committee (one RN). A call for volunteers will be circulated after the Council meeting. EAC will recommend the members of those committees in June.

Motion 14

Moved by C. Egerton, seconded by C. Williams,

That Council and committee members be appointed to statutory committees, effective June 5, 2019, in accordance with the list of committee appointments presented by the Election and Appointments Committee (attachment 1 to the minutes).

CARRIED

In highlighting the EAC's feedback to the focus group on the committee appointments pilot, C. Egerton noted that EAC is confident that it has recommended the right nurses to fill the committee vacancies. She identified some of the learnings that will be shared with the Governance Work Group.

It was flagged that there were not a lot of RPNs who came forward and were assessed as qualified. EAC asked that consideration be given to supporting all applicants in identifying and articulating their strengths.

C. Evans noted that the Governance Work Group will be reviewing all of the pilot evaluation feedback and considering improvements to the process for the future.

Appointment of Election and Appointments Committee

C. Evans highlighted the Executive Committee recommendations for the chair and members of the 2019-2020 Election and Appointments Committee.

Motion 15

Moved by C. Williams, seconded by T. Perlin

That the following be the Chair and members of the 2019-2020 Election and Appointments Committee:
G. Fox, Chair, C. Egerton, T. Holland, D. Graystone, C. Manning and C. Ward.

CARRIED

Sub-Committee on Compensation

The Finance Committee recommends the members and the Executive Committee recommends the chair of the Sub-Committee on Compensation.

Motion 16

Moved by K. Wagg, seconded by N. Thick,

That Robert (Bob) Canuel be appointed as a member of the Sub-Committee on Compensation until June of 2022; and
That Joe Nunes be appointed chair of the 2019-2020 Sub-Committee on Compensation.

CARRIED

Practical Nurse (PN) Exam Development

Philip Dickison, Chief Officer of Operations and Examinations for the National Council of State Boards of Nursing updated Council about the development of a new state-of-the-art PN entry-to-practice exam. CNO is collaborating with the British Columbia College of Nursing Professionals (BCCNP) on this project. He noted that the exam is being developed by the Canadian regulators and that the National Council is providing expertise and support.

In follow up to the presentation, it was noted that the nature of the exam and robust bank of questions will allow CNO Council to consider increasing the number of writes for individuals seeking to be registered as practical nurses. As the exam question bank grows over time, so could the number of writes allowed.

A. Coghlan noted that the number of exam writes is a policy decision that will come to Council in the future. CNO and the BCCNP are collaborating on the exam and will seek to have the same policies regarding the number of writes.

Discussion item added by Council member: Authorize NPs to complete legal forms for mental health services

I. Wiltshire-Stoby introduced this issue. She noted that there are legislative barriers preventing Nurse Practitioners from completing mental health legal forms. She asked Council to consider advocating for legislative change.

A. Coghlan informed Council of opportunities for CNO to influence change. She identified that CNO is a participant in the national consultation on the role of NPs being undertaken by the Canadian Council of Registered Nurse Regulators and will share the outcome with government. That could provide an opportunity for discussion of the barriers to the safe and effective utilization of NPs in Ontario.

A. Coghlan reminded Council of the national consultation on the future of nursing in Canada being undertaken by the provincial nursing officers. CNO will be able to contribute current knowledge of how best to leverage nurses' abilities in the system.

Executive Director Update

Council was informed that CNO has just contracted Level 5 Strategy Group to support CNO in the development of the new strategic plan. Council members will receive information shortly on the June workshop which will introduce the strategic planning project.

Reflections

Council noted that the competence principle was in action at the meeting – with the inclusion of experts and the move towards competency based appointments. Council's culture of respect was reflected in deferral of a decision and allowing more discussion when a small number of members identified the need for more information to make an informed decision.

C. Evans noted that this is the last meeting of the 2018-2019 Council. She highlighted the significant work done to move forward key public interest priorities like governance, the Code of Conduct, RN prescribing and psychotherapy. She congratulated Council on moving to preparing for meetings on-line – reflecting the principle of adaptability. She thanked Council for its strong commitment to the public and its continuing leadership in regulation.

Conclusion

At 12:30 p.m., it was

Motion 17

Moved by G. Fox, seconded by C. Egerton,

That Council conclude.

CARRIED

Chair

Attachment 1

2019-2020 Committee Members (Term begins June 5, 2019)

Executive Committee

Cheryl Evans, RN, President
Ashley Fox, Vice-President, RPN
Judy Petersen, PM
Cathy Ward, PM
Heather Whittle, NP, Vice-President, RN

Inquiries, Complaints and Reports Committee

Cheryl Evans, RN, Chair
Samantha Diceman, RPN*
Frank Cardile, PM
Ashley Fox, RPN
Ryan Henderson, RN
Michelle Lewis, RN*
Danielle LiChong, PM
Kyle Nielsen, RN*
Candace Ngungu, RN*
Nicole Osbourne James, PM
Judy Petersen, PM
Mary Ellen Renwick, RN*
Sandra Robinson, NP
Maria Sheculski, PM
Sherry Simo, RPN*
Katharina Skrzypek, RN*
Cathy Ward, PM
Heather Whittle, NP

Discipline Committee

Terry Holland, RPN, Chair
Laura Caravaggion, RPN*
Margarita Cleghorne, RPN*
Dawn Cutler, RN
Renate Davidson, PM
Tanya Dion, RN
David Edwards, RPN*
Cathy Egerton, PM
Grace Fox, NP
Carly Gilchrist, RPN*
Debbie Graystone, NP
Carolyn Kargiannakis, RN*
Dale Lafontaine, PM
Mary MacMillan-Gilkinson, PM
Mary MacNeil, RN*
Linda Marie Pacheco, RN*
Honey Palalon, RN*
Tania Perlin, PM
Desiree-Ann Prillo, RPN
Heather Riddell, RN*
George Rudanycz, RN
Michael Schroder, NP*
Heather Stevanka, RN*
Sherry Szucsko-Bedard, RN*
Devinder Walia, PM
Jane Walker, RN
Terah White, RPN
Chuck Williams, PM
Chris Woodbury, PM
Richard Woodfield, PM

* Appointed committee member

Fitness to Practise Committee

Naomi Thick, RN, Chair
Tina Colarossi, RN*
Renate Davidson, PM
Cathy Egerton, PM
Jennifer Farah, RPN*
Barbara Frayne, RN*
Fotyne Georgopoulos, RPN*
Mary MacMillan-Gilkinson, PM
Kathleen Patterson, RPN
David Remy, RN*
Fern Tarzia, RN*
Kari Van Camp, NP*
Kimberly Wagg, RPN
Jody Whaley, RPN*
Colleen Wilkinson, RN*
Chuck Williams, PM
Chris Woodbury, PM

Quality Assurance Committee

Maria Sheculski, PM, Chair
Dana Hardy, RN*
Joe Jamieson, PM
Andrea Jewell, RN
Monica Klein-Nouri, RN
Dale Lafontaine, PM
Diane Morin-LeBlanc, RN*
Desiree-Ann Prillo, RPN
Anneke (Janna) Schroder, RPN*
Devinder Walia, PM

Registration Committee

Judy Petersen, PM, Chair
Linda Bishop, RPN*
Cathy Egerton, PM
Carrie Heer, NP*
Connie Manning, RPN
Maureen Ralph, RN*
Andrea Vidovic, RN
Cathy Ward, PM
Richard Woodfield, PM

* Appointed committee member