

Minutes

Present

C. Evans, Chair
F. Cardile
D. Cutler
T. Dion
S. Douglas
C. Egerton
A. Fox
G. Fox
D. Graystone
T. Holland
A. Jewell
M. Klein-Nouri

D. Lafontaine
D. LiChong
C. Manning
P. Nigro
K. Patterson
T. Perlin
J. Petersen
L. Poonasamy
D. A. Prillo
S. Robinson
G. Rudanycz
M. Sheculski

N. Thick
D. Thompson
A. Vidovic
K. Wagg
D. Walia
J. Walker
C. Ward
T. White
H. Whittle
C. Woodbury
R. Woodfield

Regrets

R. Henderson

Guest

M. Sandler

Staff

A. Coghlan
J. Hofbauer, Recorder
D. Jones

E. Horlock
B. Knowles
K. McCarthy

S. Mills
C. Stanford

Agenda

The agenda for the meeting had been distributed. C. Evans noted that the Report of the Public Inquiry into the Safety and Security of Residents in the Long-Term Care Homes System will be addressed first on the agenda.

Motion 1

Moved by C. Egerton, seconded by N. Thick,

That the agenda for the Council meeting of September 12, 2019 be approved as circulated.

CARRIED

Report of the Public Inquiry into the Safety and Security of Residents in the Long-Term Care Homes System

M. Sandler, legal counsel, joined the meeting. He provided an overview of the inquiry and its report. He noted that, from the outset, CNO undertook to the Commissioner that it would be introspective and learn from the events. He informed Council that CNO was proactive and had taken action that addresses many of the recommendations before issuance of the report.

M. Sandler outlined the 10 recommendations for CNO. He noted that they were supported by CNO submissions to the Commissioner and the policy discussions with commission staff.

A theme in the recommendations is the need to recognize the possibility of a health-care serial killer. He noted that CNO has taken the lead on this by publishing and speaking about health-care practitioners who deliberately harm patients.

During the discussion, the need to support nurses to come forward to employers with concerns was raised. The work being done with the Employer Reference Groups was highlighted.

The need to educate the public about CNO's work to address the recommendations of the commissioner was identified. A. Coghlan noted that in December, Council will receive an update on work being done to address the recommendations of the inquiry.

M. Sandler left the meeting.

Minutes

Minutes of the Council meeting of June 6, 2019 had been circulated.

Motion 2

Moved by D. Cutler, seconded by K. Patterson,

That the minutes of the Council meeting of June 6, 2019 be approved as circulated.

CARRIED

Governance Work Group

Council had received a report of the Governance Work Group. C. Evans highlighted previous Council decisions on governance and shared the focus for 2019.

J. Petersen highlighted the plans for development of education about the board. The Work Group will be considering how to use this education in current processes.

A. Jewell highlighted the work done to date on the future Nominating Committee, including previous Council discussions.

There was discussion about the role of the Nominating Committee and Board in decision making and about addressing diversity with a competency/attribute based appointments process.

There was discussion about the membership of the Nominating Committee. The need to balance individuals who understand the board and its needs with the need for some independent members to reflect best practices was discussed.

It was noted that the Nominating Committee is part of a larger whole. No one component of the model fully addresses all of the needs, they need to be considered as a whole.

There was an initial discussion about the role of the Registrar and CEO (CEO) in supporting the Nominating Committee. There was recognition of the value of the CEO's understanding of the organization and the board. This was weighed against the potential for influence, or for a perception of influence, if the CEO was an ex officio member. It was noted that the CEO currently brings this expertise within the staff resource role. This issue will be revisited in December.

G. Fox highlighted the plans for continuing the committee appointments pilot in 2020. She noted that staff have planned for a robust communication plan. Council members were asked how they might support recruitment of nurses, particularly RPNs as they were underrepresented in the 2019 candidates. Members identified that they could reach out to colleagues. CNO is preparing a resource that will be shared to assist Council members in informing others of the opportunity to apply.

There was discussion about feedback to candidates. It was noted that CNO is not able to provide specific feedback to candidates at this time. That may change in the future as the process develops.

C. Evans highlighted the board appointments roadmap. An application is being developed and will be tested by the members of the Governance Work Group.

Scope of Practice

C. Evans noted that scopes of practice are changing for all nurses to provide improved access to care. Council has already discussed many of the regulatory mechanisms to support safe RN prescribing.

Council had received a briefing regarding changes to the scope of practice of Nurse Practitioners and RPNs set out in a letter from the Minister of Health.

A. McNabb and E. Tilley highlighted the proposed changes. It was noted that the changes in the scope of practice of Nurse Practitioners will be made through government revision to legislation. CNO Council will need to recommend changes to its Controlled Acts regulation to support the proposed changes to RPN scope of practice.

NP Regulation – National Project

C. Evans reminded Council that A. Coghlan had provided updates on this project from time to time as part of the Executive Director & CEO's update. The project was initiated by the Canadian Council of Registered Nurse Regulators and is focused on harmonization.

R. Jabbour, Strategy Consultant and N. Peladeau, Education Consultant, highlighted the project. Council was informed that there are now national Nurse Practitioner entry-to-practice competencies that are the same for all NPs. Given that the entry-to-practice competencies are the same across specialities, CCRNR initiated a national project to identify considerations associated with moving to one category of NP, similar to the regulatory framework for RNs and RPNs. Council members were supportive of such a change, noting it will add clarity for the public. There was a question about how the change would impact current NPs.

PN Entry to Practice Examination

C. Evans noted that Council discussed this issue in the past and had agreed to work with the National Council of State Boards of Nursing to develop a new exam. E. Tilley provided an update on the work to-date and highlighted the evidence that supports that the proposed new exam will be valid, reliable, secure and fair.

Council was informed that CNO has been communicating with Ontario Practical Nurse programs and all are interested in participating in field testing of exam questions.

Motion 3

Moved by C. Egerton, seconded by C. Woodbury,

That the *Regulatory Exam – Practical Nurse (REx-PN)*, currently being developed, be the approved entry-to-practice examination for registration as a Registered Practical Nurse (RPN) in the General class effective January 4, 2022.

CARRIED

Council was informed that in December, it will consider the number of writes that will be acceptable given the rigor and security of the new examination.

Follow-up Action

Number of exam writes to be added to December Council agenda
Executive Director and CEO

QA Program of the Future

The Quality Assurance program is a key regulatory function and is an important mechanism to support safe patient care. Council was updated on the work being undertaken to develop the model for the future QA program that Council approved in December of 2017.

A. Tong, Strategy Consultant and Y. Ismail, Evaluation Consultant updated Council on the work to develop and refine CNO's new on-line self-assessment tool. Council was informed that the new QA portal is scheduled to launch in the fall of 2020.

In December, Council will receive information about the full results of the evaluation.

2011-2020 Strategic Plan: Mid-Year Performance Update

K. McCarthy highlighted the achievements in the first half of 2019 that move forward CNO's three strategic objectives.

It was identified that it would be helpful if the data could be broken down in a different way so that Council could understand the timeframes within, and those not within, CNO's control.

Executive Director Update

A. Coghlan highlighted proposed organizational changes to support CNO in moving forward new strategic directions. She noted that changes will happen over the next 6 to 12 months and current plans include a dedicated planning function and a new Director of Technology.

Council was informed of a competence and remediation pilot for RNs who come to CNO's attention and are assessed as low risk. The pilot will provide them with a mechanism to demonstrate competence and to identify areas for improvement. She noted that this project reflects right-touch regulation – it is addressing low risk matters in a way that has the potential for improvement.

CNO updated Council on planned renovations to the building, including plans for a short-term closing of the parking garage.

A. Coghlan noted that CNO has been a member of the National Council of State Boards of Nursing for 10 years. She highlighted some of the benefits of membership, including the research and learning opportunities provided through the Council's Institute for Regulatory Excellence. Council was informed that A. McNabb, CNO Strategy Consultant, was inducted as a fellow in the institute.

C. Evans informed Council that A. Coghlan is the first international member of the Board of the National Council of State Boards of Nursing. She also informed Council that A. Coghlan received the 10 year service award.

Finance Committee

H. Whittle highlighted the report of the Finance Committee meeting of August 15, 2019. She presented the unaudited financial statements for the six-months ended June 30, 2019. She noted that the surplus is over budget and the accumulated surplus is close to the surplus guideline. The Finance Committee will continue to monitor the accumulated surplus.

Motion 4

Moved by H. Whittle, seconded by K. Wagg,

That the unaudited financial statements for the six-months ended June 30, 2019 be approved as circulated.

CARRIED

The Finance Committee recommends the auditor for the coming year. H. Whittle noted that the current auditor communicates clearly and has met twice this past year in camera with the committee.

Motion 5

Moved by H. Whittle, seconded by C. Manning,

That Hilborn, LLP, be appointed auditors for the 2019 fiscal year.

CARRIED

The Finance Committee recommended that six financial by-laws be simplified and be supported by policies that are approved by the Finance Committee. The policies were shared with Council.

Motion 6

Moved by H. Whittle, seconded by F. Cardile,

That the revision of the following by-laws as presented in Attachment 3 to the Finance Committee report be approved:

- Article 36 – Banking
- Article 37 – Investments
- Article 38 – Expenditures
- Article 39 – Borrowing

- Article 40 – Payments
- Article 41 – Contracts and Other Documents

CARRIED

Changes were also needed to the by-law related to the Sub-Committee on Compensation. A similar approach was taken – the by-law refers to the specifics in the terms of reference which are reviewed and approved by Council.

Motion 7

Moved by H. Whittle, seconded by M. Klein-Nouri,

That Article 27 of By-Law No. 1 be revised to read as follows:

The Sub-Committee on Compensation acts as a neutral and expert resource to the Executive Director and CEO and the Finance Committee on staff compensation, and on Council or committee member compensation where there is a financial impact to the budget. Specifics regarding the Sub-Committee on Compensation's role and membership is set out in its Terms of Reference, as approved by Council.

CARRIED

Dates of Council Meetings

In accordance with by-laws, Council approves dates of meetings.

Motion 8

Moved by S. Robinson, seconded by K. Wagg,

That the following be the dates for Council meetings in 2020:

- Wednesday and Thursday, March 11 and 12, 2020
- Wednesday and Thursday, June 3 and 4, 2020
- Wednesday and Thursday, September 16 and 17, 2020
- Wednesday and Thursday, December 2 and 3, 2020.

CARRIED

C. Evans reminded nurse Council members of the requirement to book hotel accommodation with CNO's travel service provider within five business days.

Committee appointments

In accordance with the by-laws, Council considered committee appointments made by the Executive Committee.

Motion 9

Moved by R. Woodfield, seconded by A. Vidovic,

That the following committee appointments for public members be confirmed:

- Sylvia Douglas, Lalitha Poonasamy and Patrizia Nigro to the Discipline Committee
- Sylvia Douglas and Patrizia Nigro to the Fitness to Practise Committee
- Lalitha Poonasamy to the Quality Assurance Committee, and

That the appointment of Jacqueline Dillon, RPN as a non-Council member of the Discipline Committee until June 2020, be confirmed.

CARRIED

Deferrals

There was not sufficient time to address risk-based regulation. Because the member adding an item to the agenda was not available for the discussion, that item was also deferred to the next meeting.

Motion 10

Moved by K. Patterson, seconded by G. Fox,

That agenda item 3.5, an update on Risk-based regulation project re. preventing sexual abuse of patients and agenda item 6.1 re. N.N.A.S. Internationally Trained Nurses/nursing shortage be deferred to the December 2019 Council meeting.

CARRIED

Next Meeting

Council will meet again on December 4 and 5, 2019.

Conclusion

At 4:00 p.m. and on consent, the Council meeting concluded.

Chair