

## Minutes

### Present

C. Evans, Chair  
F. Cardile  
D. Cutler  
T. Dion  
S. Douglas  
C. Egerton  
A. Fox  
G. Fox  
D. Graystone  
R. Henderson  
T. Holland

A. Jewell  
M. Klein-Nouri  
D. Lafontaine  
D. LiChong  
C. Manning  
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

K. Patterson

T. Perlin

### Staff

A. Coghlan  
C. Gora  
J. Hofbauer, Recorder  
D. Jones

E. Horlock  
B. Knowles  
K. McCarthy

S. Mills  
C. Stanford  
C. Timmings

## Agenda

The agenda had been circulated.

## Motion 1

Moved by T. Holland, seconded by M. Sheculski,

That the agenda for the December 4 and 5, 2019 Council meeting be approved.

CARRIED

## Minutes

Draft minutes of the September 12, 2019 Council meeting had been circulated.

## Motion 2

Moved by C. Woodbury, seconded by R. Woodfield,

That the minutes of the Council meeting of September 12, 2019 be approved.

CARRIED

## Long-term care public inquiry

Council received a final report of CNO actions in response to the 10 recommendations of the public inquiry specifically addressed to CNO.

A. Coghlan highlighted CNO's actions. She noted that CNO will be sharing its report extensively. This addresses CNO's commitment to the Commissioner to share CNO's response to the recommendations with the public.

A major finding of the inquiry was that there are systems issues that need to be addressed collaboratively by a variety of stakeholders. CNO will send its report to the Minister of Long-Term Care and express its commitment to work with partners, including government, to address the systems issues identified in the report.

Council discussed some of the issues within the system and the roles of various partners. A. Coghlan highlighted the tools CNO is preparing to support nurses and employers in understanding reporting accountabilities. It was noted that the *Code of Conduct* supports the public in understanding what to expect from nurses.

## Governance Work Group

C. Evans introduced the report of the Governance Work Group. She highlighted the accomplishments to date.

## Committee Appointments & Board Education

G. Fox updated Council on the second year of the pilot of appointments of statutory committee members based on competencies and attributes. In response to a question, it was confirmed that the process will continue to involve a third party, which brings independence, oversight and rigor to the process.

G. Fox also highlighted the completion of board education, noting that it has been integrated into the process for the 2020 Council election.

### Nominating Committee of the Future

A. Jewell highlighted the Governance Work Group's recommendations regarding the Terms of Reference for the Nominating Committee that will come into effect following legislative change.

There was discussion about the membership of the future Nominating Committee and about the quorum provisions in the draft Terms of Reference. There was concern that the proposed quorum provisions could result in a decision being made by very few members. Through a show of hands, it was confirmed that the quorum for the future Nominating Committee will be four. No other changes to the Terms of Reference were proposed.

### **Motion 3**

Moved by N. Thick, D. Cutler,

That Council approve the Terms of Reference for the future Nominating Committee, as they appear in attachment 1 of the Work Group's report and with the change that quorum requires four members.

CARRIED

### Interim Nominating Committee – Establishment

J. Petersen highlighted the recommendation of the Governance Work Group that Council establish an interim Nominating Committee, and the rationale. It was noted that this continues Council's approach of implementing evidence-based governance change that is possible without legislative change. The interim committee's terms of reference will need to include the role of the Election and Appointments Committee related to Council and Executive Committee elections.

### **Motion 4**

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

That Council implement a time-limited (up to three years) interim Nominating Committee to replace the Election and Appointments Committee in 2020.

CARRIED

The goal is to have the interim Nominating Committee in place for the appointment of committee members for 2021. It was noted that the timeframes for moving this forward are tight.

### Interim Nominating Committee - Leadership

C. Evans declared a conflict of interest. She informed Council that she has asked J. Petersen to chair and left the meeting.

J. Petersen and members of the Governance Work Group highlighted the rationale for the recommendation that the immediate Past-President be the Chair of the Interim Nominating Committee.

Following discussion, by show of hands, it was identified that Council supported that the immediate Past President chair the interim Nominating Committee.

C. Evans rejoined the meeting and assumed the chair.

### **Follow-up Action**

Draft terms of reference for Interim Nominating Committee to March 2020 Council  
Executive Director and CEO

### **Scope of Practice Changes**

C. Evans noted that scope of practice is changing for all nurses. At this meeting, Council is discussing the changes to RPN scope of practice proposed by the Minister of Health.

A. McNabb, Strategy Consultant, highlighted the consultation undertaken in relation to the proposed changes in RPN scope of practice and the regulatory mechanisms in place to support safe patient care.

### **Motion 5**

Moved by M. Sheculski, seconded by D.A. Prillo,

That Council approve the proposed regulatory approach, as described in the decision note, to ensure public protection when RPNs are permitted to initiate the additional controlled acts as directed by the Minister of Health.

CARRIED

### **Follow-up Action**

Draft amendment to Controlled Acts regulation to March 2020 Council  
Executive Director and CEO

### **Recess**

At noon, Council recessed until 9:00 a.m. on Thursday, December 5, 2019.

Thursday, December 5, 2019

## Agenda

C. Evans highlighted changes to the order of items in the agenda.

## Finance Committee report

A. Fox highlighted the report of the Finance Committee meeting of November 14, 2019.

Council members had received copies of the unaudited financial statements for the nine months ending September 30, 2019. Council was informed that the year-to-date operating surplus of \$12.3M is a \$5.3M favourable variance from the budgeted surplus. The result of the favourable variance and delay in some capital expenditures is an accumulated surplus of \$28.0M. This is over CNO's surplus guidelines. A. Fox noted that the Finance Committee is not concerned because there is a plan to move into the approved range.

## Motion 6

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

That the unaudited financial statements for the nine months ending September 30, 2019 be approved.

## CARRIED

A. Fox reported that the Finance Committee received a report from the Sub-Committee on Compensation that the staff compensation in the proposed budget is congruent with Council's Compensation Principles and best practices in human resources.

S. Mills highlighted the 2020 operating and capital budgets and the projections through 2023. He noted that there is more uncertainty in the budget than usual because of the scope of some of the projects, such as the building renovation. He shared with Council a projection of the revenues, expenditures and surpluses, including the accumulated operating surplus, through 2023.

A. Fox reported that the Finance Committee had discussed the budget in detail and is confident it provides the resources needed to meet CNO's regulatory mandate, advance the current strategic plan and lay the framework for implementation of the new strategic plan beginning in 2021.

## Motion 7

Moved by A Fox, seconded by C. Egerton,

That the 2020 operating and capital budgets be approved.

CARRIED

A. Fox reported on the Finance Committee's discussions related to terms of reference and membership on the Sub-Committee on Compensation.

## PN Registration Exam

C. Evans noted that, in September, Council approved the REx-PN as the exam for registration as a Practical Nurse, effective January 2022. E. Tilley, Strategy Consultant, highlighted how the format, rigor and security of the new exam make it such that candidates can only pass if they meet the competencies to enter practice. The plan for transition between the current and future exam was highlighted.

## Motion 8

Moved by N. Thick, seconded by D. Lafontaine,

That an unlimited number of attempts to successfully complete the REx-PN be approved to come into effect when the exam is implemented on January 4, 2022.

CARRIED

It was noted that the Canadian Practical Nurse Registration Exam is a Council approved examination. Council needs to set an end date for its approval of the exam as a registration exam for Ontario applicants.

## Motion 9

Moved by T. Holland, seconded by D. Prillo,

That December 31, 2021 be the end date for the Canadian Practical Nurse Registration Examination (CPNRE) as the approved entry-to-practice examination for registration as a Registered Practical Nurse (RPN) in the General class.

CARRIED

## Follow-up Action

Inform stakeholders of the change  
Executive Director and CEO

## QA Program of the Future

Council was updated on the development of the self-assessment tools for future QA: the Practice Reflection Worksheet and Action Plan (previously called learning plan). The evaluation of the tools was positive and, as a result, the plan is to make them available to nurses in 2020. Suggestions were made about options for enhancing communication with nurses who have been selected to participate in practice review.

## Nursys Canada

Discussion of Nursys Canada was deferred to the March Council meeting. It was identified that more information will be available at that time.

## Risk-Based Regulation: Program to Prevent Sexual Abuse of Patients

E. Tilley presented the interventions being undertaken as CNO begins to act based on the extensive research on sexual abuse of patients by nurses undertaken in 2018. It was noted that CNO resources on sexual abuse will be enhanced over the coming year, including education for nurses and for employers. The Code of Conduct informs the public of what they should expect from a nurse.

## Executive Director's Update

Council was informed that the government of British Columbia released a consultation paper in November 2019 in response to Harry Cayton's report, *An Inquiry into the performance of the College of Dental Surgeons of British Columbia* (April 2019). The congruity between the recommendations in the consultation paper and Council's governance vision was noted. Council was informed that CNO is taking the opportunity to highlight publicly the alignment of the British Columbia governance recommendations and Council's governance vision. A. Coghlan noted that CNO continues to indicate its willingness to discuss with government changes needed to enact Council's governance vision.

A. Coghlan highlighted the process for development of CNO's new Strategic Plan. She noted that a final draft plan will be discussed by Council in March of 2020. A strategic plan roadmap is being developed which will set out how the plan will be implemented.

Council was informed that, starting November 2019, the Inquiries, Complaints and Reports Committee (ICRC) began to receive its information using MeetX. Council and all committees now receive information through MeetX. C. Evans noted that feedback has been positive. This change removes the risk of a breach of confidential information during transmission of the committee packages to committee members.

A. Coghlan informed Council that CNO is launching a public awareness campaign about what the public can expect from a nurse. A pilot is being developed and will take place in Thunder Bay and London early in 2020. Council will be updated in March and will receive the results of the pilot and details of the final strategy in June.

Council was informed that the Auditor General's 2019 annual report raises some issues related to the public inquiry. It was noted that CNO was consulted by the Auditor General. There are opportunities arising from the Auditor General's report for CNO and the Ministry to collaborate on issues relevant to the public inquiry.

A. Coghlan informed Council that:

- C. Timmings has been appointed Chief Quality Officer and
- C. Gora has joined CNO as Director of Professional Practice.

### Executive Committee

Draft minutes of the Executive Committee meeting of November 14, 2019 were circulated to Council.

### Confirming Committee Appointments

In accordance with By-Laws, the Executive makes appointments to fill committee vacancies. The appointments take effect immediately but must be confirmed by Council at its next meeting.

### Motion 10

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

That the appointment of Diane Thompson to the Discipline and Registration committees be confirmed.

CARRIED

### Expense policies

Based on input from the Sub-Committee on Compensation, the Finance Committee has recommended changes to the expense policies for Council and committee members.

### Motion 11

Moved by A. Vidovic, seconded by J. Walker,

That the proposed revised expense policies for Council and committee members, as they appear in attachment 2 to the briefing note, be approved to come into effect on January 1, 2020.

CARRIED

### Follow-up Action

Update policies and share with Council and committee members  
Executive Director and CEO



## By-laws re. committee appointments

Council received by-law amendments to move the appointment of standing committees, except the Sub-Committee on Compensation, from the March to the June Council meeting.

C. Evans noted that these by-laws do not require circulation. She reminded Council that a 2/3 majority is required to pass a by-law.

## Motion 12

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

That the by-law amendments, as they appear in attachment 2 to the briefing note, to move appointment of Council members to standing committees from the March to June Council, be approved.

CARRIED

## Follow-up Action

Update By-Law  
Implement timing changes for appointments  
Executive Director and CEO

## Using technology to elect the Executive Committee

Council supported the use of technology to elect the members of the Executive Committee. Some logistical issues were flagged. It was noted that a small amendment to CNO's by-laws may be required to allow for electronic elections.

## Follow-up Action

Update By-Law, if needed, in March  
Implement virtual election in March  
Executive Director and CEO

## NNAS Internationally trained nurses/nursing shortage

D. Graystone, who had requested that this item be added to the Council agenda, introduced the item. She identified that the timeframe for nurses educated in the United States getting registered in Ontario has increased with the implementation of the National Nursing Assessment Service.

S. Vogler highlighted the process for assessment of international applicants, including those from programs in the United States. She informed Council about some changes for the future which may have a positive impact on timelines.

A. Coghlan highlighted the national and international collaborative work to support mobility. She reminded Council that CNO has a very robust program approval process and has confidence that other Canadian jurisdictions do as well. She identified that the International Nurse Regulator Collaborative is embarking on a research study about legislative barriers to mobility and similar conversations are beginning with the National Council of State Boards of Nursing. To support mobility, regulators need to understand and have confidence in each others' regulatory processes.

C. Evans noted that the discussion illustrates both the importance and the complexity of the issue. She identified that only part of the process is controlled by CNO.

In March, Council will receive an update on the current Strategic Plan including the KPI related to the time to become registered. In the report, the KPI is broken down to show the parts of the process that are within CNO's control.

With a show of hands, Council confirmed that the issue has been addressed at this time. Council also indicated a need for future updates on this topic.

### **Next Meeting**

Council will meet again on March 11 and 12, 2020

### **Conclusion**

At 3:00 p.m., on completion of the agenda and consent, the Council meeting concluded.

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Chair