



Alberta College of Occupational Therapists

Council Meeting Minutes

November 26, 2017

1. Call to Order

The regular meeting of the Council of the Alberta College of Occupational Therapists was called to order at 9:00 on November 26, 2017 by President Liz Taylor. Kirsten Ash acted as Recording Secretary and Andrea Petryk acted as Timekeeper. Elizabeth Taylor, Kerstin Hurd, Kent Tsui, Peter Portlock, Jennifer Lee, Andrea Petryk and Sheron Parmar attended the meeting in person. Registrar, Maggie Fulford and Consultant, Simon Canning were also in attendance.

The new Public member, Peter Portlock, was introduced to Council. Peter advised that he has a Masters in health services administration and has worked in acute care. However, the majority of his work has been involved with a variety of not-for profit associations with a provincial focus. Most recently he was registrar, complaints director and CEO of two health regulatory colleges. His governance experience comes from being a public member with the registered nurses, the pharmacists, the funeral service industry and the Alberta Insurance Council. He has just finished a term as public representative on the council of the Association of Applied Science Engineering Technologists of Alberta. He also served as CEO of Lethbridge family services for four years as well as serving on the library board and Economic Development Lethbridge Board. He has experience on both sides of the table in regulatory work having served as CEP of the Alberta Physio Therapy Association. He is semi-retired and currently Chair of the Board of Technology Accreditation Canada and a team lead on the Council of Accreditation of New York.

2. Adoption of the Agenda

Kerstin Hurd moved to adopt the agenda with the change of moving the Optimize contact to 11:15 to ensure the public member would be able to be present for the decision. The motion was carried.

3. Adoption of the Minutes

Kent Tsui moved to accept the minutes as presented.

Council asked that the date on page one be corrected. Council asked that the dates of June 16th and October 13th be added to the meeting dates for next year. Council felt that the statement on page 8 regarding not enough advocacy be changed to say that there is a gap in advocacy in the province. Council also felt that the statement regarding funding of the

SAOT/ACOT committee was not accurate and would like it changed to state that the SAOT/ACOT meetings would be funded by ACOT.

Kerstin Hurd moved that the Minutes of October 14, 2017 be approved with corrections discussed. The motion was carried.

4. Registrar Reporting

Maggie Fulford reported her nice to know about recent activities – she reported that the office has moved and only had about an hour of interrupted service. She reported that all individuals needing registration were registered.

Maggie mentioned the opening of four meetings a year for presentation to Council and Peter clarified that under the HPA all Council meetings are open to members and the public. Maggie pointed out that our previous policy complied with this requirement of the Act but that members or the public were required to make a request to attend a meeting in advance of that meeting.

Maggie advised that there had been a meeting with the Minister on October 31st and that Liz was introduced to the Legislature and welcomed along with some of our professional leaders and two occupational therapists from the public.

As part of the strategic plan is to reach out to the non-regulated health provisions, Maggie advised Council that the Massage Therapists have been sanctioned by the Minister for College status and that they have over 7,000 members. The Recreation Therapists are continuing to seek partnership and they have entered some discussion with social workers. She also mentioned a meeting with a group of OTs and OTAs. As well, therapy assistants are looking toward regulation.

Liz also advised that Maggie was sitting on the University of Alberta, Faculty of Rehab Medicine Dean Selection Committee.

Maggie advised that we will be launching a Twitter and Facebook presence in the new year.

5. Optimize Presentation of Policies

Simon would like to adopt the policy manual as presented by the end of the policy presentation and a full policy manual will be handed out at the next meeting.

He advised that Council recruitment is actually governed by the bylaws and the government appoints public members. However, he pointed out that it is the expectation of Council that councillors will step down at the end of their term and will not be available for further Council

work for at least two years thereafter. However, Council reserves the right to ask a councillor to remain on beyond their term in exceptional circumstances. In speaking to the conflict of interest policy he pointed out that councillors have a duty to be entirely free from the influence of any conflicting interests which may influence any action of the College. It is the responsibility of each councillor to disclose to the President any possibility, real or perceived, of conflict of interest immediately that it becomes apparent.

Discussion then turned to governance process policy (GP) 14 regarding complaints. Simon advised that he had categorized complaints into four different categories, one being discipline of a regulated member, pointing out that there is a registrar limitation for that to make sure there is legislative compliance. Further, Council has the responsibility to appoint nominees for the Complaints Review Committee (see Note 1).

The second bucket is complaints against the registrar for registration issues, (see Note 2), the third is for complaints against the registrar from internal staff and the last one is for complaints against the office more broadly.

Note 1: The Health Professions Act, RSA 2000, c-H7, S15(1) A council must appoint members to a membership list consisting of no fewer than 4 regulated members to be used for appointing members to both hearing tribunals and complaint review committees. (2) Only regulated members are eligible to be included on a list referred to in subsection (1).

Further, S16(1) The hearings director may establish a hearing tribunal and a complaint review committee consisting of (a) 2 or more members from the membership list established under section 15, and (b) the number of public members required by section 12(1), and if a hearing tribunal or complaint review committee is established, the hearings director must designate a member of that tribunal or committee to act as chair.

Note 2: The Health Professions Act, RSA 2000, c-H7, S31(1) An applicant whose application for registration is accepted subject to conditions or whose registration is deferred or whose application is refused by the Registrar, registration committee or competence committee may, within 30 days after being given a copy of the decision, request a review by the Council in accordance with subsection (3). (2) an applicant who is not notified of a decision by the date described in section 30(5) may, within 30 days from that date, request a review by the Council in accordance with subsection (3). (3) A request for review must (a) be in writing (b) set out the reasons why the application for registration should be approved with or without conditions, and (c) be given to the registrar, who must give a copy of the request to council. (4) On being given a request for a review, the registrar must, within 30 days, notify the applicant of the date, time and place at which the council

will conduct the review. (5) A review must be commenced not later than 60 days after the registrar is given the request for a review.

Discussion ensued with the Registrar explaining the legislative requirements, along with Mr. Portlock. The only policy previously dealing with complaints was regarding operational complaints (complaints against the registrar by staff or complaints against the office in general) as the HPA is very prescriptive regarding all other types of complaints. It was the consensus that the policy be split in two parts, one what Council must do around the legislative requirements of the HPA and the other how Council deals with complaints not covered by the HPA.

Jennifer Lee moved to accept the GPs as presented with the changes discussed. The motion was carried.

Simon reminded Council that the registrar limitation policies (RLs) were adopted at the last Council meeting, however, Peter suggested that RL 2.1: Finances be changed to quarterly instead of periodically.

The Council Procedures manual was discussed. Liz feels that another box needs to be added to the conflict of interest declaration.

Peter also asked that the original date and revision dates be added to the procedures manual.

6. Ends Policy Discussion

Simon discussed the purpose for the ENDS policy pointing out that it is basically the reason for the existence of the organization. The Carver way of describing this is to break it out into three different components; the benefits, the beneficiaries and the relative worth/cost of providing those benefits. If the benefits are described as regulatory compliance, active and visible inclusive engagement, and the ability to influence future regulations, then the beneficiaries are the public, those who access OT services and those who regulate OT services i.e., the government regulator, our internal stakeholders such as the regulated members, and external stakeholders identified by Council from time to time. The relative worth/cost would therefore be described by the annual fee. It could be written as the public views ACOT members as ethical, competent and effective. The highest priority among the public are those whose decisions influence member success. Members and external stakeholders are engaged, active and improve public protection. Members skills improve continually in tandem with new regulations and circumstances throughout their career in a supportive environment worth the price.

Andrea felt that there needed to be a piece in the ends to encompass relevance and staying up to date with current environments. Extensive discussion ensued regarding the differences

and similarities between competence and relevance. It was also suggested that the word necessary should be included and discussion ensued regarding the differences and similarities between necessary and essential with Liz emphasizing her goal that the public regard OT as essential. Peter suggested the wording “the public values ACOT members as . . .”

7. Optimize Contract

Mark proposed the optimize contract extension and support for the College going forward. Mark advised there were four key activities being suggested, the first being a detailed operational plan development with 16 days allowed for that. The second element would be coaching for the Registrar and professional development for a total of six days. The third is the Carvery policy work with one day allowed and the final element is Council coaching for governance, leadership and effectiveness with a total of 22 days. The overall commitment would be 45 days.

Andrea asked that the comments that were provided by Mark during his presentation on the purpose of each deliverable be added to the written report.

Council asked Simon to leave the room while Maggie presented her briefing note on the Optimize contract.

Maggie emphasized that as CEO it is her job to facilitate the work of Council’s consultants and that she is only here as a resource. She outlined the history of the contract and identified the risks. She also reminded Council that the contract had never gone out to an RFP and she was instructed by the then President and public member to sign the contract. That original contract was for a set of deliverables to be completed within one year at a cost of \$100,000. The deliverables have not changed, we are in the second year at a cost to date of \$180,000 and they are proposing another year and another \$90,000. With \$1.1 million in revenue, \$90,000 would be just under 10% of total revenue for this consultant. Maggie outlined the aggressive objectives in the strategic plan for the coming year and is looking for guidance from Council in terms of budgeting as some of those plans may have to be put on hold because of lack of funds. Maggie was asked if, looking at the outcomes expected by the strategic plan, whether these were things that could be done with the resources we already have to which she answered that she and her staff are quite able to organize their work and get it done, and if it was determined that help was required, they were able to reach out to local resources for that assistance.

Maggie and staff were asked to leave the room for and In Camera discussion regarding optimize.

It was decided that Council required more information to make a decision regarding the Optimize contract and the office has arranged for that material to be available to Council and a teleconference vote will be held at a later date.

8. Governance Committee

Kerstin Hurd presented the governance committee report. Discussion ensued regarding the leadership advisory committee which has not yet been formed. Maggie suggested that that committee might be where the joint SAOT/ACOT committee could go.

9. Practice Advisory Committee

Mary Culshaw joined the meeting via teleconference to update council on the work of the practice advisory committee advising that she is ahead of time and under budget and has a really good document in progress. She proceeded to outline the report previously provided to Council.

Liz asked what the atmosphere was like to which Mary responded that it was very positive and that the members who came forward were very positive in moving forward on professional practice. There were challenging discussions but they were all very respectful. Liz also asked if there were any feelings about the difference between ACOT and SAOT. Mary advised that the committees were very positive about the role of SAOT and during the full day workshop they came up with a saying that ACOT sets the bar and SAOT helps member to achieve the bar. However, they felt that ACOTs position has been reactive rather than proactive.

Andrea raised concerns about AHS being so heavily involved as there are many other areas not covered by AHS. Mary clarified that no matter what the issue it is important to maintain the same process for every issue in order to recognize trends. The grey area is where the confusion lies and Maggie pointed out that it's okay for everyone's practice to look different.

The committee would like to put the recommendation in front of the membership to see what scenario would best suit the needs of members. Liz still struggles with the fact that this is a practice issue and should be addressed by SAOT but SAOT will only help its members, but she looks forward to the final document. She agrees that having it sent out to membership might be wise but Council will decide in what form and how it goes out.

10. SAOT Working Group/ Generative Thinking

Liz gave a brief background on the purchase of services agreement with SAOT and outlined her concerns regarding the associate membership which does not allow access to any SAOT resources but puts the associate member on their email list. She also expressed concerns regarding the very divisive questionnaire that went out.

Sheron Parmar moved to activate the leadership advisory committee to investigate and inquire about the best way forward to advance occupational therapy under the lens of protection of the public in collaboration with membership. The motion was carried.

Maggie pointed out that SAOT was concerned that they do not have access to our registrant list. However, under the Health Professions Act and PIPA the College is not allowed to release it however we have assisted wherever possible to help them build their membership including a link on our renewal page, completing mailouts for them where we put labels to our registrants on their stuffed, stamped envelopes, and uploading our registrant list to a mailing house for mailing to our registrants.

Discussion ensued regarding the combination model with CAOT and Maggie reported that SAOT did look at the combination model but their board rejected that model. As an OT Maggie advised that she would like a strong association, she is still a member of SAOT because they are our voice, and she recognizes that CAOT is a voice on the federal front. She also recognizes that we are at a disadvantage because we are not combined like some colleges. As CEO and registrar her focus is on risk and this issue is quickly coming to the forefront with Government. The department is against combined colleges and associations and are very concerned but at this point it is nothing the political arm of government is moving on. However, at some point they may force separation. Alberta, New Brunswick and Saskatchewan are the only Canadian provinces allowing combined colleges and associations. As far as other Alberta professions, the Optometrists have 100% membership in their association because they are business people and recognize that they need a voice to advertise and advocate as a collective. Midwives also have 100% membership in their association as you can only get your insurance through the association. Should ACOT and SAOT join the costs would be great in just branding alone and then again if the government steps in and forces separation.

11. Adjournment

Kerstin Hurd moved to adjourn the meeting at 3:37. The motion was carried.