

**COLLEGE OF DENTAL HYGIENISTS OF ONTARIO**  
**COUNCIL MEETING MINUTES – (#10-002)**  
**Friday, May 28, 2010**

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A Council Meeting of the College of Dental Hygienists of Ontario was held on Friday, May 28, 2010 at the Four Seasons Hotel, 21 Avenue Road, Toronto ON M5R 2G2

**Attendance:**

C. Barr Overholt, H. Blondin, K. Feres Patry, D. Greenwood, L. Jamieson, J. Johnson, S. Katyal, N. Kitchen, S. Laldin, C. Lotz, D. McLennon, I. McNamara, L. Pavao, T. Quizan, S. Rifai, B. Shayan, S. Silverman, I. St. Onge, A. Venton

**Administration:** F. Richardson, E. Waters, J. Cain, J. Keir, E. Powell, T. Amsden, M. Catalfo

**Legal Counsel:** R. Steinecke

**Guests:** Laura Badulescu, RDH\*  
Brenda Hardiman, RCDSO  
Richard Webster, MOHLTC  
Margaret Carter, ODHA  
Kim Ivan, ODHA  
Jocelyne King, ODHA  
Marc Hull Jacquin, HPRAC  
Saverio Rigillo, Soberman LLP\*  
Judy Melville, ODAA  
Gail Marion, Non-Council  
Vanna Boyden, RDH  
Sandra Linardi, RDH  
Linda Samek, ODA  
Shelli Jeffs, Non-Council

**\*attended a portion of the meeting**

**2.0 CALL TO ORDER & OPENING REMARKS**

The meeting was called to order at 9:00 a.m.

**2.1 INTRODUCTION OF GUESTS**

The President welcomed everyone. All participants then introduced themselves.



## **2.2 APPROVAL OF AGENDA**

The agenda was approved as presented. The President advised that the order may shift depending on timing.

## **2.3 ADOPTION OF MINUTES**

The minutes of Friday, January 29, 2010 (#10-001) were approved as presented.

## **2.4 ADMINISTRATIVE REPORT**

Fran Richardson presented the Administrative Report and advised that the May 25 MTCU meeting had been postponed. She advised all participants of the recent Administrative changes. She noted that both Evelyn Waters, Deputy Registrar and Lisa Taylor, Associate Registrar had been assigned additional responsibilities. The Registrar then introduced new members of Administration

- Mary Catalfo, Director of Administration
- Jane Keir, Practice Advisor/Quality Assurance Coordinator
- Varinder Singh is scheduled to join the College on June 7, 2010 as the Registration Manager/Practice Advisor

She also advised that the French version of the new online jurisprudence module would be posted shortly.

## **2.5 COMMITTEE REPORTS WITH RECOMMENDATIONS**

### **EXECUTIVE COMMITTEE**

Linda Jamieson presented the Executive Committee Report and advised that the Drug Regulation was underway. S. Rigillo of Soberman, LLP presented the Audited Financial Statements for 2009 for approval. He advised that the audit had been very smooth.

#### **I. Audited Financial Statements for 2009**

#### **MOTION: Executive Committee/Executive Committee**

**WHEREAS** Council is mandated to approve the financial statements on an annual basis;

**THEREFORE BE IT RESOLVED THAT** the financial statement for the year 2009 as presented by Soberman, LLP be accepted.

**CARRIED**



## **2. Appointment of Auditors**

**MOTION: Executive Committee/Executive Committee**

**WHEREAS** the firm of Soberman, LLP provides independent accounting services and advice to the CDHO in accordance with the standards and procedures determined by the CICA/CAO;

**THEREFORE BE IT RESOLVED THAT** the firm of Soberman, LLP be reappointed as auditors of the College of Dental Hygienists of Ontario for the fiscal year 2010.

**CARRIED**

## **3. Conflict of Interest**

The CDHO developed a draft Conflict of Interest Regulation in 1994; however, it was never processed. In 1996, the Ministry of Health indicated that they would not review any regulations until guidelines had been developed and approved by the Ministry. That process took just over nine years to complete. In July 2005, the MOHLTC finalized their guidelines for Conflict of Interest Regulations and various Colleges set about preparing drafts. The CDHO has worked with other Colleges in the oral health community to come to an understanding with respect to the partnering of RHPA practitioners. The group was unable to come to a consensus. Consequently, each of the oral health Colleges is developing their own regulations independently. The RCDSO already had conflict of interest regulations in place prior to the moratorium. Under the MOHLTC guidelines, consultation must occur when new conflict of interest regulations are proposed.

In May 2006, Council approved a draft Conflict of Interest Regulation for circulation and comment to stakeholders for the requisite 60 day period. The consultation period generated fourteen (14) written responses. Subsequent changes were made to the draft regulation. However, additional comments from the Competition Bureau indicated that the bureau would not be pleased to see any regulations that restricted employment or partnerships within the marketplace. Since any changes to the draft regulation would require recirculation, in January 2008 Council withdrew the draft regulation and notified the MOHLTC that amendments needed to be made. A new draft was circulated in February 2008 but not resubmitted to the Ministry.

There have been many changes in the choice of practice settings for dental hygienists since the last Conflict of Interest regulation was drafted. Consequently, the Executive Committee took the opportunity to review and



make some amendments based on new and emerging realities.

**MOTION: Executive Committee/Kathleen Feres Patry**

**WHEREAS** the College of Dental Hygienists of Ontario has developed a draft Conflict of Interest Regulation according to the guidelines set out by the Ministry of Health and Long-Term Care; and

**WHEREAS** the draft regulation requires circulation to registrants and interested stakeholders for the requisite 60 days; and

**THEREFORE BE IT RESOLVED THAT** the attached draft Conflict of Interest Regulation (May 2010) be approved by the CDHO Council and circulated to registrants and interested stakeholders for the requisite 60 day period.

**CARRIED UNANIMOUSLY**

**4. Bylaw No. 4 Amendments:**

**a)5.1 - Composition of Statutory Committees**

Change the composition of the Inquires, Complaints and Reports Committee

Currently – four (4) members of Council who are registrants of the College  
Leave as is

Currently three (3) members of Council appointed to the Council by the Lieutenant Governor’s Order-in-Council

Change to four (4)

Currently three registrants of the College who are not members of Council

Change to (two) 2

This permits two panels of the Committee and provides for two public members on both panels.

**b)7.3 - Liability Insurance of Registrants**

Amend to reflect the Ministry’s interpretation that each registrant must “individually” carry his or her own professional liability insurance.

Current wording: All registrants holding a general/specialty certificate of registration shall maintain professional liability insurance coverage with a minimum of \$1,000,000 coverage for each occurrence and with a deductible of no more than \$10,000.

Proposed wording: A registrant engaged in the practice of dental hygiene



shall carry professional liability insurance with the following characteristics:

1. The minimum coverage per occurrence shall be \$1,000,000
2. The deductible shall be no more than \$10,000
3. The insurer must be licensed with the Financial Services Commission of Ontario
4. The registrant must be personally named in the insurance policy.

**c)Schedule V - Rules of Order of the Council**

The new schedule below will complement Section 4.13 Other Meeting Procedures

**SCHEDULE V TO THE BY-LAWS**

**Rules of Order of the Council**

1. In this Schedule, "Member" means a Member of the Council.
2. Each agenda topic will be introduced briefly by the person or Committee representative raising it. Members may ask questions of clarification, then the person introducing the matter shall make a motion and another Member must second the motion before it can be debated.
3. When any Member wishes to speak, s/he shall so indicate by raising her or his hand and shall address the presiding officer and confine herself or himself to the matter under discussion.
4. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to answer specific questions about the matter.
5. Observers at a Council meeting are not allowed to speak to a matter that is under debate.
6. A Member may not speak again on the debate of a matter until every other Member who wishes to speak to it has been given an opportunity to do so. The only exception is that the person introducing the matter or a staff person may answer questions about the matter. Members will not speak to a matter more than twice without the permission of the presiding officer.



7. A Member may speak up to three (3) minutes upon any motion; additional time may be allotted with the permission of Council.
8. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Council meeting or to refer the motion to a Committee.
9. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.
10. When it appears to the presiding officer that the debate on a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the presiding officer shall put the motion to a vote.
11. When a matter is being voted on, no Member shall enter or leave the Council room, and no further debate is permitted.
12. No Member is entitled to vote upon any motion in which s/he has a conflict of interest, and the vote of any Member so interested will be disallowed.
13. Any motion decided by the Council shall not be re-introduced during the same meeting except by a two-thirds vote of the Members then present.
14. Whenever the presiding officer is of the opinion that a motion offered to the Council is contrary to these rules or the by-laws, s/he shall rule the motion out of order and give her or his reasons for doing so.
15. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council without debate.
16. The above rules may be relaxed by the presiding officer if it appears that greater informality is beneficial in the particular circumstances, unless the Council requires strict adherence.
17. Members are not permitted to discuss a matter with observers while it is being debated.
18. Members shall turn off cell phones during Council meetings and, except during a break in the meeting, shall not use a cell phone, blackberry or other electronic device. Laptops shall only be used



during Council meetings to review materials related to Council business (e.g., electronic copies of background documents) and to make personal notes on the issue at hand.

19. Members are to be silent while others are speaking.
20. In all cases not provided for in these rules or by other rules of Council, the current edition of "Robert's Rules of Order" shall be followed so far as they may be applicable.
21. These Rules shall apply, with necessary modifications, to meetings conducted by teleconference or any other electronic means permitted by the by-laws, including audio or video conferencing.

**MOTION: Executive Committee/Tote Quizan**

**WHEREAS** the College of Dental Hygienists of Ontario is required under the *Regulated Health Professions Act, 1991* to have bylaws that reflect the intent of the *RHPA, 1991*; and

**WHEREAS** amendments to the bylaws are required from time to time;

**THEREFORE BE IT RESOLVED THAT** the proposed amendments to Bylaw No. 4 be approved by the CDHO Council for circulation to registrants and interested stakeholders and returned to Council in either October 2010 or January 2011.

**CARRIED UNANIMOUSLY**

**2.6 COMMITTEE REPORTS FOR INFORMATION ONLY**

**DISCIPLINE COMMITTEE**

Shirley Silverman reported that a hearing was held on April 30, 2010 for Ms. Jacqueline Spreight. Ms. Speight was found guilty of professional misconduct. A summary of the reasons is available on the CDHO web site.

**INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE**

Kathleen Feres Patry reported that the Committee (which is divided into two panels) is currently investigating 21 cases; 10 formal complaints, 5 referrals from the Quality Assurance Committee, 6 Registrar initiated matters and 2 mandatory reports. An ICRC Panel concluded its investigation into two matters. There are 8 matters pending before the



Health Professions Appeal and Review Board (HPARB).

### **PATIENT RELATIONS COMMITTEE**

Diane Greenwood reported that the Committee was currently in the evaluative stage on two projects 1) Sensitive Practice and 2) Public Awareness.

### **QUALITY ASSURANCE COMMITTEE**

Nancy Kitchen noted that of the 198 professional portfolios requested in 2010, 76 have met the assessment guidelines, 105 are still in process and 35 are participating in directed learning/remediation activities. Of the 101 on-site practice assessments requested, 7 have met the guidelines, 79 are still in process and 15 are participating in directed learning/mentorship activities.

### **REGISTRATION COMMITTEE**

Carol Barr Overholt reported that one long standing case before HPARB was cancelled before the hearing as the applicant withdrew her appeal. HPARB upheld the Committee's decision not to grant registration to an applicant who had failed the clinical competency evaluation four times. Another candidate has four unsuccessful attempts at the clinical evaluations has also appealed to HPARB. The hearing is pending. There are currently 16 non-accredited dental hygiene programs in Ontario. Three programs have participated in an accreditation site visit during 2010 and will be informed of their status in December. All non-accredited programs must apply for accreditation by August 1, 2010 or MTCU will rescind their permit to operate.

## **2.7 GUEST SPEAKERS**

Lori Coleman, Chief Operating Officer/Registrar, Health Boards Secretariat.-Ministry of Health & Long-Term Care, gave an overview of the Health Boards Secretariat and advised that public members were now able to complete their expense reports online, where all sums would be automatically totaled.



2.8

**IN CAMERA SESSION**

**MOTION: Diane Greenwood/Inga McNamara**

**WHEREAS** the Council of the College of Dental Hygienists of Ontario deems it necessary to consult with legal counsel;

**THEREFORE BE IT RESOLVED THAT** as per Section 7 (2)(e) of the *Regulated Health Professions Act, 1991* that the Council move into an in camera session.

**CARRIED**

**MOTION: Diane Greenwood/Derrick McLennon**

**THAT** the Council come out of the In Camera Session and return to the Regular Council meeting.

**CARRIED**

2.9

**MEETING EVALUATION**

All members were then asked to complete their meeting evaluation forms.

2.10 **DATE OF NEXT MEETING**

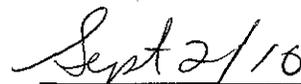
The next Council meeting is scheduled for Friday, October 22, 2010. The location is to be determined.

2.11 **ADJOURNMENT**

The meeting adjourned at 2:20 p.m.

Approved by:

  
\_\_\_\_\_  
Signature of Chair

  
\_\_\_\_\_  
Date

