



College of Traditional Chinese Medicine
Practitioners and Acupuncturists of Ontario

Ordre des praticiens en médecine traditionnelle
chinoise et des acupuncteurs de l'Ontario

Council Meeting

Thursday, December 5, 2024

Excerpt from the Regulated Health Professions Act, 1991

***Schedule 2
Health Professions Procedural Code***

Duty of College

- 2.1 It is the duty of the College to work in consultation with the Minister to ensure, as a matter of public interest, that the people of Ontario have access to adequate numbers of qualified, skilled and competent regulated health professionals. 2008, c. 18, s. 1.

Objects of College

3. (1) The College has the following objects:

1. To regulate the practice of the profession and to govern the members in accordance with the health profession Act, this Code and the Regulated Health Professions Act, 1991 and the regulations and by-laws.
2. To develop, establish and maintain standards of qualification for persons to be issued certificates of registration.
3. To develop, establish and maintain programs and standards of practice to assure the quality of the practice of the profession.
4. To develop, establish and maintain standards of knowledge and skill and programs to promote continuing evaluation, competence and improvement among the members.
- 4.1 To develop, in collaboration and consultation with other Colleges, standards of knowledge, skill and judgment relating to the performance of controlled acts common among health professions to enhance interprofessional collaboration, while respecting the unique character of individual health professions and their members.
5. To develop, establish and maintain standards of professional ethics for the members.
6. To develop, establish and maintain programs to assist individuals to exercise their rights under this Code and the Regulated Health Professions Act, 1991.
7. To administer the health profession Act, this Code and the Regulated Health Professions Act, 1991 as it relates to the profession and to perform the other duties and exercise the other powers that are imposed or conferred on the College.
8. To promote and enhance relations between the College and its members, other health profession colleges, key stakeholders, and the public.
9. To promote inter-professional collaboration with other health profession colleges.
10. To develop, establish, and maintain standards and programs to promote the ability of members to respond to changes in practice environments, advances in technology and other emerging issues.

Duty

11. Any other objects relating to human health care that the Council considers desirable. 1991, c. 18, Sched. 2, s. 3 (1); 2007, c. 10, Sched. M, s. 18; 2009, c. 26, s. 24 (11).
- (2) In carrying out its objects, the College has a duty to serve and protect the public interest. 1991, c. 18, Sched. 2, s. 3 (2).

SCHEDULE 1 TO THE BY-LAWS

Code of Conduct for Members of the Council and All Committees

1. This Schedule applies to members of the Council and of all committees of the College.
2. Council and Committee Members must, at all times, maintain high standards of integrity, honesty and loyalty when discharging their College duties. They must act in the best interest of the College. They shall:
 - a. be familiar and comply with the provisions of the RHPA, its regulations and the Code, the Act, its regulations, and the By-Laws and policies of the College;
 - b. promote the public interest in his/her contributions and in all discussions and decision making;
 - c. direct all activities toward fulfilling the College's objects as specified in legislation;
 - d. diligently take part in committee work and actively serve on committees as appointed by the Council;
 - e. regularly attend meetings on time and participate constructively in discussions;
 - f. offer opinions and express views on matters before the College, Council and committee, when appropriate;
 - g. participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of members on Council and committees;
 - h. uphold the decisions made by a majority of Council and committees, regardless of the level of prior individual disagreement;
 - i. place the interests of the College, Council and committee above all other interests;
 - j. avoid and, where that is not possible, declare any appearance of or actual conflicts of interest;
 - k. refrain from including or referencing Council or committee positions held at the College in any personal or business promotional materials, advertisements and business cards.
 - l. preserve confidentiality of all information before Council or committee unless disclosure has been authorized by Council or otherwise exempted under s. 36(1) of the RHPA;
 - m. refrain from communicating to Members, including other Council or Committee Members, on statutory committees regarding registration, complaints, reports, investigations, disciplinary or fitness to practice proceedings which could be perceived as an attempt to influence a statutory decision or a breach of confidentiality, unless he or she is a member of the panel or, where there is no panel, of the statutory committee dealing with the matter;
 - n. respect the boundaries of staff whose role is not to report to or work for individual Council or Committee Members;
 - o. be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment; and
 - p. regularly evaluate his or her individual performance, and that of the collective to assure continuous improvement.

PROVISION 11.16 OF THE BY-LAWS - Language of Meetings

Meetings of the Council and Committees shall be conducted in English.

SCHEDULE 2 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, he or she shall so indicate by raising his or her hand and shall address the presiding officer and confine himself or herself 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 of Council 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 chair.
7. No Member may speak longer than five minutes upon any motion except 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 in a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate of 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 he or she 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 session except by a two-thirds vote of the Council 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, he or she shall rule the motion out of order and give his or her 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 chair 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 the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.
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 teleconference.

SCHEDULE 3 TO THE BY-LAWS - Code of Ethics for Registered Members

Code of Ethics for Registered Members

All registered members of the College shall strive to attain the ideals identified in the College's Code of Ethics. The College's Code of Ethics for registered members is as follows:

1. General Responsibility

- Practise within the scope of TCM practice and abide by the laws of the jurisdiction;
- Maintain high competence (i.e., skills, knowledge and judgment) at all times;
- Practise professionally, honestly and with integrity;
- Respect the authority of the College and uphold the principles of self-regulation;
- Place the health and care of patients above personal gain.

2. Responsibility to Patients

- Recognize that the primary duty of a practitioner is the health and well-being of their patients;
- Respect a patient's value, needs, dignity and choices;
- Provide care to patients regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability;
- Listen and explain to patients the available treatment options, and their goal, risks, effectiveness and cost. Provide the best treatment plan to the patient after the patient understands his or her options;
- Provide timely and quality care that is consistent with the standards of the profession;
- Provide the best care to patients, recognizing one's own limitations and referring patients to other practitioners, or other health care providers when the level of care needed is beyond one's competence;
- Being honest and fair when charging fees for services and any products or prescriptions;
- Protect patients from unsafe, incompetent and unethical care;
- Respect the physical, emotional or financial integrity of patients;
- Protect the privacy and confidentiality of the health information of patients.

3. Responsibility to Oneself and the Profession

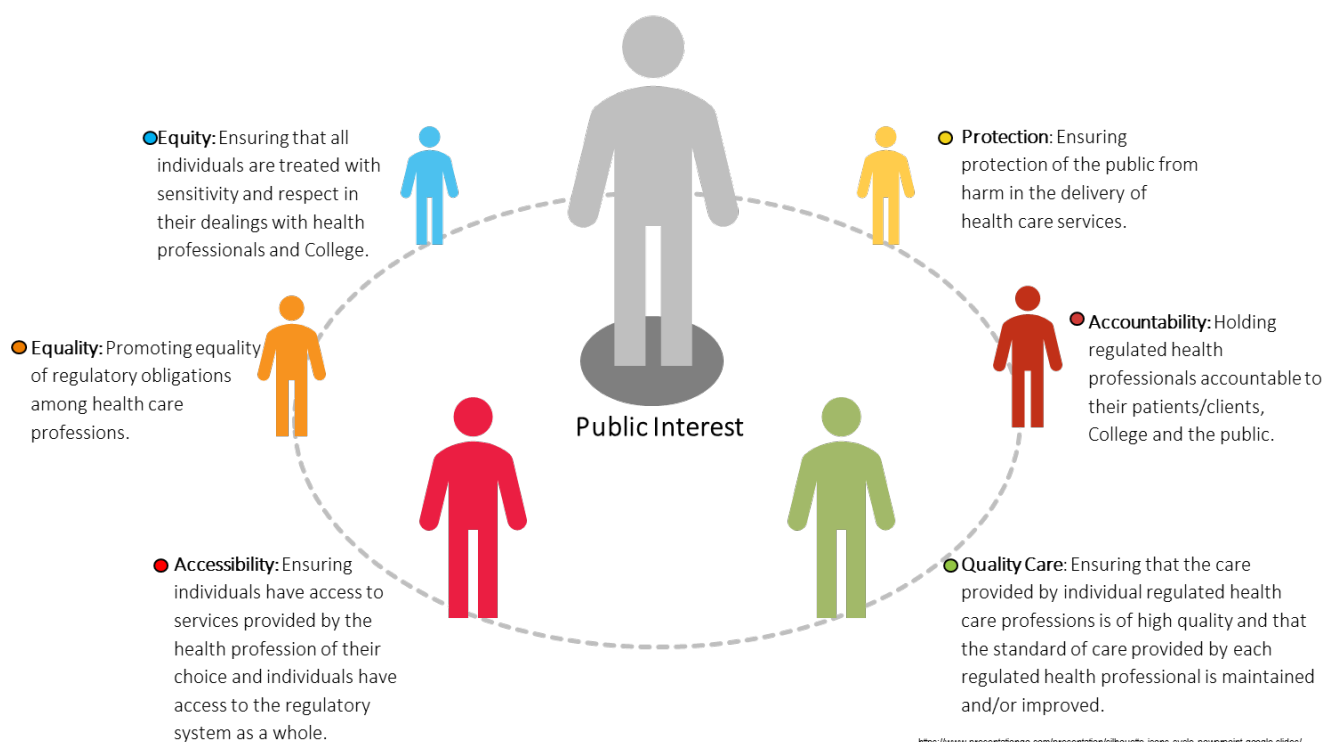
- Acknowledge the limitation of one's knowledge, skills and judgment;
- State one's qualification and experience honestly and fairly;
- Continually upgrade one's knowledge, skills and judgment to improve one's services to patients;
- Respect other health professionals and members of the TCM profession;
- Refrain from passing judgment on the services of another health professional or another member of the TCM profession, except when required in the interest of the patient and after obtaining appropriate information;
- Collaborate with other members of the TCM profession and with other health professionals in the interest of the patient and the public;
- Be transparent and timely in providing information to patients, or a third party when requested or authorized by the patient or by law;
- Contribute to the ongoing development of TCM practices and pass on one's knowledge and skills to others;
- Uphold the honour and dignity of the TCM profession.

4. Responsibility to the Public

- Contribute to improving the standards of health care in general;
- Contribute in matters of public health, health education, environmental protection and legislation issues that affect the quality of care to the public;
- Offer help in emergency situations, if appropriate;
- Promote and enhance inter-professional collaboration;
- Represent the profession well.

PUBLIC INTEREST

in the context of the College Performance Measurement Framework



Decision Making Tool for Council

It is the mandate of the College to regulate the profession of traditional Chinese medicine and acupuncture in the public interest. As such, all decision made by Council must uphold the public interest. Below are a series of considerations for Council members to help guide their decision-making process. Council members should consider each question prior to making any policy decision.

1. The proposed policy is related to the practice of traditional Chinese medicine and acupuncture.
2. The proposed policy falls within the College's statutory mandate in that it reflects a government directive or the duty, object of the College.
3. The proposed policy is related to the public interest.
4. The proposed policy is supported by the College's strategic plan, mission or goals.
5. The proposed policy impacts on: a) health care system, b) patients, c) College resources, d) College reputation, e) legal, f) stakeholders, or g) members?
6. The proposed policy is consistent with current College policies/positions and best practices amongst regulatory colleges.
7. The policy is being proposed to address a particular issue or concern.
8. There are consequences for NOT supporting this policy at this time.
9. After having considered all other alternatives the policy is the most effective solution at this time.

BRIEFING ON MEETING PROCEDURE

Guideline for Observers Attending a Virtual Council Meeting

Council meetings are open to the public. However, the public may be excluded from any Council meeting or part of a meeting pursuant to section 7 of the *Health Professions Procedural Code*.

Individuals attending as observers are requested to:

- Turn off or mute all electronic devices;
- Refrain from recording of proceedings by any means, including the taking of photographs, video recordings, voice recordings or via any other means;
- Ensure that your audio is on mute for the duration of the virtual meeting;
- Avoid using any of the virtual meeting features such as chat, reactions, etc.;
- Stop streaming video so that only Council members are visible to the Council;
- Refrain from disruptive behaviour;
- Refrain from addressing or speaking to the Council while the meeting is in process;
- Refrain from lobbying of Council members during the meeting, even during breaks;
- Respect that observers are not allowed to participate in debate of any matter before the Council, or ask any questions of the Council;
- Respect the authority of the presiding officer.

The College reserves the right to remove any observer from a Council meeting if these guidelines are not met. Once removed, you are prohibited from returning to the meeting.

In the event that the Council goes in-camera pursuant to Paragraph (d) of Section 7(2) of the Code, all observers will be returned to the “waiting room/lobby” until the Council completes its in-camera discussions. When Council returns, observers who remain in the waiting room/lobby will be returned to the meeting.

Robert's Rules of Order – Quick Reference

1. All those who wish to speak to an item **MUST** go through the Chair.
2. The Chair will keep a list of who wishes to speak. The Chair will call on you to speak.
3. Please raise your hand to let the Chair know you wish to speak.
4. To speak more than once to the same item, you need to wait till everyone else has had a chance to speak.
5. You may ask only one question at a time.
6. Voting is done by a show of hands. If a secret ballot is necessary (i.e. elections) paper ballots are used. For teleconference meetings, members are asked to voice their vote.
7. Each item to be decided will have a **MOTION**. A motion will be moved and seconded prior to discussion.
8. Should an amendment be made to the motion, the amended motion will be the item to be discussed and voted upon.
9. An amendment to a motion may be done as a “friendly” amendment, meaning the person who made the motion agrees with the change. And once again, the amended motion is the one that is voted upon.
10. Once the Chair calls an end to the discussion, a vote will be taken on the motion or amended motion.
11. Council members will be asked to vote:
 - a. in favour of the motion;
 - b. opposed to the motion; or
 - c. abstain from voting.(Abstentions do not affect the outcome of the vote)
12. A simple majority is required to pass a motion. (50% plus 1)
13. All votes will be noted by the minute taker.



**COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND
ACUPUNCTURISTS OF ONTARIO**

AGENDA

Council Meeting

Thursday, December 5, 2024

9:00 a.m. – 4:30 p.m.

via Webex

Item	Open/ In-Camera	Time	Speaker	Action	Book Page
1. Welcome and Call to Order	Open Session	9:00 a.m. (5 mins)	D. Worrada <i>Chair</i>	Information	1-9
2. Declarations of Conflicts of Interest					
3. Briefing on Meeting Procedure					
4. Appointment of External Chair for 2024	Open Session	9:10 a.m. (5 mins)	J. Pritchard-Sobhani <i>President</i>	Motion	
5. Adoption of the Agenda	Open Session	9:15 a.m. (5 mins)	D. Worrada <i>Chair</i>	Motion	10-12
6. Consent Agenda a. Draft Minutes of September 18, 2024, Council Meeting b. Executive Committee Report c. Registration Committee Report d. Inquiries, Complaints and Reports Committee Report e. Quality Assurance Committee Report f. Patient Relations Committee Report g. Discipline Committee Report h. Fitness to Practise Committee Report i. Dr. Title Working Group Report j. Acupuncture Working Group Report A consent agenda is a single item on an agenda that encompasses all the things the Council would normally approve with little comment. All those items combine to become one item on the agenda to be called the consent agenda. As a single item on the agenda, the consent agenda is voted on with a single vote - to approve the consent agenda. This means that there is no discussion on the items, that are listed in the consent agenda. However, if a person wishes to speak about any component of the consent agenda, they will alert the Chair. The component will be removed from the consent agenda and discussed at some point in the meeting. The remaining components of the consent agenda can then be approved.	Open Session	9:20 a.m. (5 mins)	D. Worrada <i>Chair</i>	Motion	12-40

Item	Open/ In-Camera	Time	Speaker	Action	Book Page
7. President's Remarks	Open Session	9:25 a.m. (15 mins)	J. Pritchard-Sobhani <i>President</i>	Information	
8. Registrar's Report a. CARB Memo re: PCE Changes b. City of Markham Update	Open Session	9:40 a.m. (15 mins)	S. Cassman <i>Registrar & CEO</i>	Information	
9. 2024 Council Election Update	Open Session	9:45 a.m. (10 mins)	S. Cassman <i>Registrar & CEO</i>	Information	41
BREAK		10: 05 a.m. (10 mins)			
10. Election Process Overview	Open Session	10:15 a.m. (10 mins)	D. Worrad <i>Chair</i>	Motion	42-43
11. Election: President	Open Session	10:25 a.m. (20 mins)	D. Worrad <i>Chair</i>	Motion	44-45
12. Election: Vice-President	Open Session	10:45 a.m. (20 mins)	D. Worrad <i>Chair</i>	Motion	46-47
13. Election: Executive Committee Members	Open Session	11:05 a.m. (25 mins)	D. Worrad <i>Chair</i>	Motion	48
LUNCH		11:30 a.m. (90 mins)			
14. Executive Committee Meets to Discuss Committee Appointments	Closed Meeting	11:30 a.m. (30 mins)	Executive Committee	Executive Committee Meeting	49
15. Committee Appointments	Open Session	1:00 p.m. (10 mins)	President	Motion	
16. Finance - 2nd Quarter Statement of Operations	Open Session	1:10 p.m. (10 mins)	F. Ortale <i>Director IT, Finance & Corporate Services</i>	Information	
17. Governance Review Consultant	Open Session	1:20 p.m. (30 mins)	S. Cassman <i>Registrar & CEO</i>	Motion	
BREAK		1:50 p.m. (10 mins)			
18. MOVE TO "IN-CAMERA" The following agenda items will be held In-Camera in accordance with Section 7.(2)b of the Health Professions Procedural Code, [7. (2) Despite subsection (1), the Council may exclude the public from any meeting or part of a meeting if it is satisfied that, (b) financial or	Open Session	2:00 p.m. (5 mins)	D. Worrad, <i>Chair</i>	Motion	

Item	Open/ In-Camera	Time	Speaker	Action	Book Page
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;;]					
19. In-Camera Item	Closed	2:05 p.m. (5 mins)			
20. In-Camera Item	Closed	2:10 p.m. (20 mins)			
21. In-Camera Item	Closed	2:30p.m. (30 mins)			
22. In-Camera Item	Closed	3:00p.m. (20 mins)			
23. MOVE OUT OF "IN-CAMERA"	Closed	3:20p.m. (5 mins)	<i>President & Chair</i>	Motion	
24. By-Law Updates	Open	3:25 p.m. (25 mins)	S. Cassman <i>Registrar & CEO</i>	Motion	
24.1 Inactive Class Registration Policy Amendment	Open Session		J. Nghiem <i>Policy Analyst</i>	Motion	
24.2 Succession Planning	Open Session		S. Cassman <i>Registrar & CEO</i>	Motion	
25. In-Active Class Registration Policy	Open Session	3:50 p.m. (10 mins)	J. Nghiem, <i>Policy Analyst</i>	Motion	
26. Risk Management Report		4:00 p.m. (5 mins)	S. Cassman <i>Registrar & CEO</i>	Information	
27. Other Business	Open Session	4:05 p.m. (5 mins)	S. Cassman <i>Registrar & CEO</i>	Information	
28. September 18, 2024, Meeting Evaluation Review	Open Session	4:10 p.m. (5 mins)	D. Worrada <i>Chair</i>	Information	
29. Next Meeting Dates for 2025 and Meeting Effectiveness Survey Link	Open Session	4:15 p.m. (10 mins)	D. Worrada <i>Chair</i>	Information	
30. Adjournment	Open Session	4:25 p.m. (5 mins)	D. Worrada <i>Chair</i>	Motion	

FOR INFORMATION

- a) Conflict of Interest Disclosures



**COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND
ACUPUNCTURISTS OF ONTARIO**

CONSENT AGENDA

Council Meeting

Thursday, December 5, 2024

9:00 a.m. – 2:55 p.m.

"Virtual via Webex"

Item	Open/ In-Camera	Time	Speaker	Action	Page No.
1. Consent Agenda	Open Session	9:20 a.m. (5 mins)	D. Worrad <i>Chair</i>	Motion	
a) Draft Minutes of September 18, 2024 Council Meeting					Page 2
b) Executive Committee Report					Page 12
c) Registration Committee Report					Page 14
d) Inquiries, Complaints and Reports Committee Report					Page 18
e) Quality Assurance Committee Report					Page 20
f) Patient Relations Committee Report					Page 22
g) Discipline Committee Report					Page 23
h) Fitness to Practise Committee Report					Page 25
i) Dr. Title Working Group Report					Page 26
j) Acupuncture Working Group Report					Page 28
<p><i>A consent agenda is a single item on an agenda that encompasses all the things the Council would normally approve with little comment. All those items combine to become one item for approval on the agenda to be called the consent agenda.</i></p> <p><i>As a single item on the agenda, the consent agenda is voted on with a single vote - to approve the consent agenda. This means that there is no discussion on the items, that are listed in the consent agenda.</i></p> <p><i>For item “i”, only substantive decisions that the Executive Committee made on behalf of Council were included and ergo need to be ratified.</i></p> <p>However, if a person wishes to speak about any component of the consent agenda, they will alert the Chair. The component will be removed from the consent agenda and discussed at some point in the meeting. The remaining components of the consent agenda can then be approved.</p>					



COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO

MEETING OF COUNCIL

MINUTES

September 18, 2024 from 9:00 a.m. to 2:17 p.m.
Via Webex

IN ATTENDANCE

External Chair

Deborah Worrada

Council

Kimberley Bishop

Meiying Chen

Iftikhar Choudry

Judy Cohen

Kathy Feng

Kevin Ho

Terry Hui

Christine Lang

Deborah Sinnatamby

Joanne Pritchard-Sobhani

Xianmin Yu

Jin Qi (Jackie) Zeng

Public Member

Professional Member

Public Member

Public Member

Professional Member (until 12:15 p.m.)

Public Member

Professional Member

Professional Member

Public Member

Professional Member / President

Professional Member / Vice-President

Professional Member

Staff

Sean Cassman

Francesco Ortale

Ryan Chu

Mohan Cappuccino

Jennifer Nghiem

Laurie Krol

Tem Adewumi

Registrar and CEO

Director, IT, Finance and Corporate Services

Manager of Professional Conduct

Manager of Registration and Examinations

Policy Analyst

Executive Assistant

Recorder

Guests

Fiona Zou

Matthew Boudreau, Vice-President

Laura Greer, Senior Vice-President

Hailey Budgell, Assistant Consultant

Hilborn LLP (9:39 a.m. to 10:02 a.m.)

Hill & Knowlton Strategies (11:01 a.m. to 12:04 p.m.)

Hill & Knowlton Strategies (11:01 a.m. to 12:04 p.m.)

Hill & Knowlton Strategies (11:01 a.m. to 12:04 p.m.)

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College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario

September 18, 2024

Observers

Vivian Pang (MOH)

Nathalie Yan

1. WELCOME AND CALL TO ORDER

After calling the meeting to order at 9:00 a.m., Ms. Worrada welcomed participants to the September 18, 2024 Council meeting of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario.

Council members were referred to the excerpt of *Schedule 2 of the Health Professions Procedural Code*, *Schedule 1 to 3 of the By-Laws* and the *Decision-Making Tool*.

a) DECLARATIONS OF CONFLICT OF INTEREST AND REMINDER OF CONFIDENTIALITY

Ms. Worrada asked if any Council members had any conflicts of interest with regard to the matters being considered at the day's meeting. There were no conflicts declared.

b) BRIEFING ON MEETING PROCEDURE

Ms. Worrada provided an overview of the meeting procedure.

2. ADOPTION OF THE AGENDA

The agenda was adopted as presented.

MOTION: T. Hui - K. Bishop

THAT the Agenda of the September 18th, 2024 Meeting of the Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario be adopted as presented.

CARRIED

3. CONSENT AGENDA

- a) Draft Minutes of June 12th, 2024 Council Meeting
- b) Executive Committee Report
- c) Registration Committee Report
- d) Inquiries, Complaints and Reports Committee Report
- e) Quality Assurance Committee Report
- f) Patient Relations Committee Report
- g) Discipline Committee Report

Council Meeting

College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario
September 18, 2024

- h) Fitness to Practise Committee Report
- i) Dr. Title Working Group Report

MOTION: J. Pritchard-Sobhani - C. Lang

THAT the Consent Agenda of the September 18, 2024 Meeting of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario, be approved as presented.

CARRIED

4. PRESIDENT'S REMARKS

The President welcomed all participants to the Council meeting. Mr. Cassman was congratulated on his appointment as Registrar and CEO, effective August 1, 2024.

Appreciation was expressed to Council members and staff for their commitment in ensuring a smooth transition, and maintaining the College's mandate. The College has achieved stability and confidence due to the Council's efforts.

An overview was provided of ongoing projects which have a direct impact on the College's ability to regulate the profession in the public interest. These include Phase 2 of the Doctor Title, completion of pilot project for the school approval program, as well as working with CARB to offer the Pan-Canadian exam.

The first meeting of the adhoc Acupuncture Standards Committee will be scheduled for November. The development of acupuncture standards will provide minimum expectations and skills and competencies required for TCM practitioners and acupuncturists to practice within their scope safely.

The President, Ms. Bishop and Mr. Cassman also met with the Ministry of Health to discuss funding for the Pan-Canadian exam, the Doctor title, as well as the Provisional class.

The President concluded with a statement on the College continuing its work on the strategic plan, which will increase public confidence, outreach to stakeholders, and ensuring that there is strong leadership and excellence in governance.

5. REGISTRAR'S REPORT

Mr. Cassman thanked Council for their trust in hiring him as Registrar/CEO, and thanked staff for a smooth transition.

An overview was provided of ongoing projects, Phase 2 of the Doctor Title project, school approval project, the Chinese Pan-Canadian exam, Quality Assurance projects,

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College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario
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governance, and meeting with CARB officials at the upcoming Canadian Network of Agencies of Regulation conference.

Of note:

- The Doctor Title Working Group will be meeting this month to discuss potential changes to the draft documentation, which will be brought back to Council.
- CARB: A meeting with CARB was held the previous week, with the President also in attendance. British Columbia has confirmed its intention to continue with CARB and the Pan-Canadian exam.

Council members were thanked for their hard work and support in fulfilling the mandate of public interest.

6. DRAFTED AUDIT STATEMENT REVIEW

Fiona Zou joined the meeting at 9:39 a.m., and presented the draft audit statement to Council.

An overview was provided of the audit findings communication, the draft financial statement, as well as the draft summary financial statements.

The President reported that the Executive Committee had confirmed that the College has no evidence of fraud.

Financial statements

- An overview was provided of the Statement of Financial Position, the Statement of Operations, Statement of Changes in Net Assets and the Statement of Cash Flows.
- While the cash balance has increased due to the College's operations, overall, the College is in a healthy financial position.
- Note was taken of an increase in salaries and benefits related to severance and resignation of the previous Registrar. In addition, there was an increase in funding from the Ministry of Health, for the Chinese Pan-Canadian exam. Inflation was also cited as a reason for the increase in office costs.

Ms. Zou left the meeting at 10:02 a.m.

7. MOTION TO APPROVE AUDITED FINANCIAL PACKAGE

The Council approved the audited financial package presented by Hilborn LLP.

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MOTION: T. Hui - I. Choudry

THAT the Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario approves the Audited Financial Package as presented to Council by Hilborn LLP.

CARRIED

7.1. APPOINTMENT OF AUDITORS FOR 2023-2024 FISCAL YEAR MOTION

The President commended Hilborn LLP's work, noting their efficacy in helping the College stay on track.

MOTION: J. Cohen - M. Chen

THAT the Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario approves the appointment of Hilborn LLP to be the Auditors for the College for the 2024-2025 Fiscal Year as presented.

CARRIED

8. FINANCE – 1st Quarter Statement of Operations

Mr. Ortale provided an update on the 1st Quarter Statement of Operations for the 2024-2025 fiscal year as of June 30, 2024.

Cash:

- The College's cash position is \$8.7 million.

Revenue:

- Revenue is at \$3.9 million, or 80.01% of projected revenue. Annual renewal is on target at 97.83%. An overview was provided of other revenue items such as the Pan-Canadian exam, fees for the Safety Program and Jurisprudence courses, as well as bank interest.
- The government funding for the Pan-Canadian exam has not yet been received. However, it is an approved budget item of \$340,000.

Expenses

Overall, expenses are at 19.70%, and below budget by almost 5%. Almost all components are below budget or on target. Not all invoices have been received for services rendered mostly during the first quarter.

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The only sub component over budget is Subscription and Conferences, which covers the CARB fee, as well as attendance at various conferences.

MOVING IN-CAMERA

In accordance with Section 7. (2)b and e of the *Health Professions Procedural Code*, the meeting moved in-camera at 10:23 a.m.

MOTION: C. Lang - K. Feng

THAT, in accordance with Sections 7. (2)b of the Health Professions Procedural Code, the meeting will now move in-camera.

CARRIED

The discussion held during the in-camera session is recorded separately.

MOVING OUT OF CAMERA

Council members were reminded that items discussed during the in-camera session are private and confidential and are not to be discussed out of camera.

MOTION: C. Lang - J. Cohen

THAT the meeting be moved out of camera at 12:27 p.m.

CARRIED

9. LUNCH

The observer (Ms. Pang, MOH), joined the meeting at 1:28 p.m.

13. SUPERVISION POLICY

Ms. Nghiem reported that the policy amendments were approved for public consultation at the June 12 Council meeting. The 30 day consultation period has now concluded, and the policy is being brought back for the Council's review.

The feedback from the survey was also provided as part of the package. 15 responses were received. There are no concerns about the amendments to the policy or the supervisor report template.

Other items

- Concerns were expressed that insurance companies may have additional

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requirements for members who supervise, and that this item should be discussed with insurance companies.

- It was noted that the College has a Professional Liability Insurance policy which sets requirements for a member to complete in their PLI. Discussions can be held with insurance companies, which would then be reflected in the PLI policy.
- It was also proposed that a different policy be created to inform new members of the requirements in legislation, for example, infection control and other matters in legislation related to setting up a new practice.

MOTION: K. Ho - J. Cohen

THAT the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario approves the Supervision Policy for Applicants and Students as presented.

CARRIED

14. RECORDS MANAGEMENT POLICY

Ms. Nghiem reported that the College has a privacy code which refers to the records retention policy. As a result, the Records management policy and Records retention schedule were developed. These documents will ensure that the College's record keeping practices are standardized and in compliance with legislation, as well as privacy and confidential obligations.

Both documents were reviewed by the Executive Committee at its August 14, 2024 meeting and are being brought to the Council for review.

An overview was provided of the changes:

- A photo destruction policy was part of the registration policy, which stipulates that photos of the member provided on application should be destroyed after they resign.
- Staff and the Executive Committee have recommended that this policy be addressed in records management, and that the Photo Destruction policy should be archived. The rationale is that the member photo should be considered as part of the member file, and should have the same lifespan as the file.
- This change will help to maintain the integrity of the College's records and cut down on administrative work needed to process member resignations.

Council was advised that the motion would include the archiving of the Photo Destruction Policy.

MOTION: C. Lang - X. Yu

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THAT the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario approves the Records Management Policy as presented.

CARRIED

15. 2024 ELECTIONS

15.1 District 3

Five nominations have been received for three seats. The election is scheduled for September 24, and voting will end on October 24.

15.2 District 5

Mr. Cassman reported that there have been no nominations received for the District 5 by-election, which has now been vacant for three years. It will be scheduled for election next year.

16. INACTIVE CLASS REGISTRATION POLICY

Ms. Nghiem reported that the Registration Committee approved several changes to the Inactive Class Registration policy. This includes new guidelines for members who have been in the Inactive class for more than two years and who are applying to transfer back to the General class of registration.

Language has been changed to address the potential loophole of members returning to the General class after less than two years in the Inactive class. The other change is the inclusion of a matrix to determine professional requirements.

The matrix is listed in another policy. Its inclusion in the Inactive class policy is a way to increase members' understanding of how the Registration Committee makes decisions on professional requirements.

In addition, legal counsel has confirmed that the policy is defensible, with wording changes in some parts of the policy recommended.

Council approved the policy to be circulated for a consultation period of 30 days.

MOTION: K. Bishop - K. Feng

THAT the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario approves the Inactive Class Policy as presented for consultation.

CARRIED

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17. GOVERNANCE REVIEW CONSULTANT

Mr. Cassman reported that colleges are required to conduct an effectiveness framework review every three years. The College is reaching the end of its three year cycle, so work on this project needs to commence soon.

The Executive Committee, at its August 14, 2024 meeting, had recommended sending out an RFP for interest from third parties. After discussion with the President, it was decided that a formal RFP was not necessary and to directly reach out to consultants who have worked with other colleges.

A decision on the consultant can be made at the December Council meeting, and work can start immediately.

Council members were shown the list of potential candidates.

It was also recommended that a copy of the previous governance report be sent to Council members so they can become familiar with the process.

At Council's direction, Mr. Cassman will contact the list of potential consultants.

18. RISK MANAGEMENT FRAMEWORK

Mr. Cassman reported that no changes have been made to the risk management framework. However, with the resignation of Public member Mark Handelman, the Council is at a higher risk of being unconstituted.

The framework will be reviewed to determine a more concise way of presenting the information.

The President reported that the Public Appointments Secretariat is aware of the need for a new Public member. Follow ups will be conducted with the Secretariat.

19. OTHER BUSINESS

19a) Markham by-Law, Re: TCM and Acupuncture

Mr. Cassman reported that the City of Markham has made changes to its Bylaws which require the College's members to apply for a personal service shop license.

Mr. Cassman is holding a meeting with Bylaw officials to clarify the City's requirements.

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20. JUNE 12TH, 2024 MEETING EVALUATION SURVEY REVIEW

12 members responded to the evaluation, providing their input on the meeting. Appreciation was expressed for the feedback.

a. NEXT MEETING DATES & MEETING EFFECTIVENESS SURVEY LINK

Council orientation: **Wednesday, December 4, 2024**

Council meeting: **Thursday, December 5, 2024**

A special meeting may be called for the presentation of the Doctor Title Working Group's material.

Members were encouraged to complete the survey for the day's meeting.

21. ADJOURNMENT

The meeting was adjourned at 2:17 p.m.

MOTION: J. Pritchard-Sobhani - C. Lang

THAT the meeting of Council of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario of September 18th, 2024 be adjourned until the next meeting or at the call of the President.

CARRIED



FOR: Information

SUBJECT: Executive Committee Report

Executive Committee Members

Joanne Pritchard-Sobhani	Professional Member/President
Xianmin Yu	Professional Member/Vice-President
Judy Cohen	Public Member
Deborah Sinnatamby	Public Member
Jin Qi (Jackie) Zeng	Professional Member

Since the last Council meeting held on September 18, 2024, the Executive Committee met on November 6, 2024.

FOR INFORMATION

1) Finance Update

The Financial Statements for the 2nd quarter were presented to the Executive Committee by the College. The Committee had the opportunity to ask questions regarding several aspects of the report prior to it being submitted to Council for review and approval.

2) Succession Planning Presentation

The Executive Committee received a presentation from Lai-King Hum on succession planning which provided an overview with necessary aspects of a succession plan. Ms. Hum's presentation identified issues and gaps in short term planning. A position and candidate for Deputy Registrar has therefore been proposed as a solution to substitute for the Registrar in case of vacations or leave.

3) Council Third-Party Governance Review

This year, the CPMF requires Council to conduct a governance review through a third-party. The Executive Committee discussed options for approaching this process, and recommended that staff reach out to known consultants for a proposal, which Council can then review and decide on at the December Council meeting. The purpose of this approach will be to allow Council to make an informed decision, while also considering the time constraints of beginning this process within 2024. This approach will be presented to Council in September.

4) Update on Government Relations

The Executive committee received an update on interactions the College has had with Government Relations firm and advised that their contract is up for renewal. The contract renewal was recommended to Council to affirm.

The College is building relationships with various MPPs and setting the groundwork for a future meeting with the President and Minister, in preparation for submitting the Doctor Title documentation. There is also a need to ensure an awareness of the difference between TCM acupuncture and other types of acupuncture.



The College staff met with the City's Bylaw officers on September 23, 2024, to discuss the personal service license some members are being asked to apply for.

The officers confirmed that the license will only apply to business owners, or those who hold a lease in a physical location. The name "personal service shop" will still apply to such license holders at this time.

5) By-Law Updates

The Executive Committee recommends that the current Bylaw for duties and role of the Registrar and CEO be revised to include the previous provisions of the Bylaws for 2016.

This report is current as of November 20, 2024, in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Registration Committee Report

Registration Committee Members

Terry Hui (Chair)	Professional Member
Iftikhar Choudry	Public Member
Kevin Ho	Public Member
Kimberley Bishop	Public Member
Akari Yokokawa (Non-Council)	Professional Member
Brendan Cheung (Non-Council)	Professional Member
Joanne Pritchard-Sobhani	Professional Member
Ming C. Cha (Non-Council)	Professional Member
Xianmin Yu	Professional Member

Since the last report, the Registration Committee met on the following dates:

- September 12, 2024 - RC and Panel 2 Meeting

All meetings were held via Webex meeting.

FOR INFORMATION

1. PAN-CANADIAN EXAMINATIONS

Fall 2024 Pan Canadian Examination

The examinations were held on the following dates:

- Traditional Chinese Medicine Practitioners examination - October 3 and 4, 2024
- Acupuncturists examination - October 23 and 24, 2024.

A total of 240 candidates wrote the exams, as shown in the table below. We anticipate the results to be released in December 2024

	ACU	TCMP	Total
English	146	43	189
Simplified Chinese	23	19	42
Traditional Chinese	1	8	9
Total	170	70	240



Spring 2025 Pan Canadian Examinations

The next examinations will be held on the following dates:

- TCM Practitioners examination – April 28 and 29, 2025
- Acupuncturists examination – May 1 and 2, 2025
-

The application period for the Spring exam sessions will open in early December and will close on January 15, 2025.

2. PROGRAM APPROVAL PROJECT

At its September meeting, the Registration Committee reviewed and discussed several facets of the Program Approval Project. They modified one of the evaluation criteria to align it with Ontario's regulatory requirements, and recommended wording changes to the draft Standards document to make it specific to Ontario and this College. They also approved a decision-making framework and scoring matrix from among options proposed, which will be used to determine the approval status of an education program once it has been reviewed. The Committee, together with staff, continue to work toward finalizing the program approval process.

3. APPEAL TO HEALTH PROFESSIONS APPEAL AND REVIEW BOARD (HPARB)

Currently, there is one appeal to the Health Professions Appeal and Review Board in progress.

4. QUARTERLY REGISTRATION STATISTICS FOR MOH

As reported previously, the Ministry of Health now requires all health regulators to submit quarterly data reports related to registration applications, specifically about processing times and educational jurisdictions. Based on feedback provided by regulators about the data requested in the first report, the Ministry is in the process of revising the data points that are to be reported on. The Ministry has confirmed that the submission deadline will be extended to December 31st, to allow regulators sufficient time to gather the required data.

5. REGISTRATION COMMITTEE PANEL UPDATES (From September 4, 2024, to November 13, 2024)

	Decisions made by the Registration Committee				
	Approved	Approved with TCLs	Request for More Info	Rejected	Total
Fourth Exam Attempt Proposal	0	0	0	0	0
General Class application	1	1	0	0	1
TCL Variation	0	0	0	0	0
Title Variation	1	0	0	0	1
Transfer from Inactive Class	0	0	0	0	0
Totals	2	1	0	0	2

The Registration Committee Panel reviewed 3 cases at the September 12, 2024, meeting.



6. MEMBERSHIP STATISTICS

Registration by District

	District 1	District 2	District 3	District 4	District 5	Practicing outside ON/Unknown	Total
General	211	164	1700	556	78	151	2860
Inactive	12	6	97	16	2	40	173
Student	0	0	5	0	0	0	5
Total Members	223	170	1802	572	80	191	3038

Registration Updates

	16-Aug-23	16-Nov-23	28-Feb-24	21-May-24	3-Sep-24	13-Nov-24
General R. Ac	1328	1388	1408	1355	1404	1437
General R. TCMP	1333	1358	1396	1379	1410	1423
Student R. Ac	2	5	3	5	4	4
Student R. TCMP	6	5	2	2	2	1
Inactive R. Ac	94	89	87	90	88	85
Inactive R. TCMP	81	80	79	87	89	88
Current Members	2844	2925	2975	2918	2997	3038

Changes since previous reports

	24-May-23 to 16-Aug-23	17-Aug-23 to 16-Nov-23	17-Nov-23 to 28-Feb-24	29-Feb-24 to 21-May-24	22-May-24 to 3-Sep-24	3-Sep-24 to 13-Nov-24
Current members	39	81	50	-57	79	41
Resignations	4	5	22	79	4	8
Revocation	0	0	1	0	1	0
Suspensions	0	-3	-16	39	-9	-1

Members practicing with terms, conditions and limitations: 221



Jurisprudence Course Tests (From September 4, 2024 – November 13, 2024)

Passed	Failed	Total
50	2	52

Safety Program Tests (From September 4, 2024 – November 13, 2024)

Passed	Failed	Total
56	1	57

This report is current to November 13, 2024, unless otherwise noted, in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Inquiries, Complaints and Reports Committee Report

Inquiries, Complaints and Reports Committee Members

Xianmin Yu	Professional Member, Chair
Meiying Chen	Professional Member
Bo (Kathy) Feng	Professional Member
Christine Lang	Professional Member
Jin Qi (Jackie) Zeng	Professional Member
Matthew Colavecchia	Non-Council Professional Member
Melody Hon	Non-Council Professional Member
Fanny Ip	Non-Council Professional Member
Hui Liu	Non-Council Professional Member
Judy Cohen	Public Member
Iftikhar Choudry	Public Member
Kevin Ho	Public Member
Deborah Sinnatamby	Public Member

The Inquiries, Complaints and Reports Committee (the “ICRC”) is divided into three main panels to accommodate the number of ongoing matters, and to accommodate the selection of panel members, should the need arise for a discipline hearing. Since the last quarterly report, the ICRC met three times on October 15, 2024, October 16, 2024, and October 21, 2024.

New Cases and Nature of Concerns

Note: Some cases may have more than one concern

Complaints	Nature of Concerns		Registrar Report Investigations	Nature of Concerns	
3	1	Advertising	1		Advertising
	1	Billing and Fees			Billing and Fees
		Communication			Communication
	1	Competence / Patient Care			Competence / Patient Care
		Fraud		1	Fraud
	1	Professional Conduct & Behaviour			Professional Conduct & Behaviour
	1	Record Keeping		1	Record Keeping



		Sexual Abuse / Harassment / Boundary Violations			Sexual Abuse / Harassment / Boundary Violations
		Unauthorized Practice		1	Unauthorized Practice

Completed Cases and Outcomes*

Note: Some decisions have more than one outcome

Complaints	Outcomes		Registrar Reports Investigations	Outcomes	
3		Take no action	-		Take no action
		Advice			Advice
		Written Caution			Written Caution
	1	Oral Caution			Oral Caution
	2	SCERP			SCERP
	1	Refer to Discipline			Refer to Discipline
		Undertaking/Withdraw			Undertaking/Withdraw

Complaints cases before Health Professions Appeal and Review Board

New Cases	Pending Cases
-	-

Pending Cases

Complaints	Registrar Report Investigations	Incapacity Inquiries	Total # cases
13	40		53

This report is current as of November 19, 2024, in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Quality Assurance Committee Report

Quality Assurance Committee Members

Christine Lang (Chair)	Professional Member
Kimberley Bishop	Public Member
Evelyn Cho	Non-Council Professional Member
Iftikhar Choudry	Public Member
Judy Cohen	Public Member
Terry Hui	Professional Member
Bo Feng	Professional Member

Since the last quarterly report, the Quality Assurance Committee (QAC) met once on August 27, 2024.

FOR INFORMATION

1. Quality Practice Programs

a. Self, Peer, and Practice Assessment – Random Selections

Random Selection to Submit Self-Assessment

The QA Committee directed that 5% of members be randomly selected to submit their completed Self-Assessment Tool (SAT) and professional development plan (PDP) in 2024. For the reporting cycle: January 1, 2023, through December 31, 2023, 133 members were randomly selected with a submission deadline of July 26, 2024.

As of November 20, 2024:

- 129 forms have been received and reviewed.
- Resigned/Exempted SAT: 3
- Pending SAT Submission: 1

b. Peer and Practice Assessment

Random Selection to Participate in a Peer and Practice Assessment

The QA Committee directed that 2.5% of members be randomly selected to undergo a Peer and Practice Assessment in 2024. All 67 members were notified of their random selection and assessments are being arranged, 14 have been completed to date.

To date, 18 Assessment reports have been received pending review, the remaining PPAs have been scheduled; future Panel meetings will be scheduled to review accordingly.



Workplan

The Quality Practice team continues to work on projects to meet deliverables of the QA Committee Workplan.

This report is current to November 20, 2024, in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Patient Relations Committee Report

Patient Relations Committee Members

Meiying Chen (Chair)	Professional Member
Iftikhar Choudry	Public Member
Deborah Sinnatamby	Public Member
Nisha Thadani	Non-Council Professional Member
Akari Yokokawa	Non-Council Professional Member
Kimberley Bishop	Public Member

Since the last quarterly report, the Patient Relations Committee (PRC) has not met.

FOR INFORMATION

This report is current to November 19, 2024 , in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Discipline Committee Report

Discipline Committee Members

Christine Lang	Professional Member, Chair
Meiying Chen	Professional Member
Bo Feng	Professional Member
Terry Hui	Professional Member
Joanne Pritchard-Sobhani	Professional Member
Xianmin Yu	Professional Member
Jin Qi (Jackie) Zeng	Professional Member
Evelyn Cho	Non-Council Professional Member
Matthew Colavecchia	Non-Council Professional Member
Hui Liu	Non-Council Professional Member
Akari Yokokawa	Non-Council Professional Member
Kimberley Bishop	Public Member
Iftikhar Choudry	Public Member
Judy Cohen	Public Member
Mark Handelman	Public Member
Kevin Ho	Public Member
Deborah Sinnatamby	Public Member

The Discipline Committee released the following decisions and orders in this quarter.

1. [Xiaoyun Tian](#)
2. [Esther Yu Kwan Cheng](#)

As of November 19, 2024, there are six open cases which have been referred to the Discipline Committee by the Inquiries, Complaints and Reports Committee (ICRC).

	Member Name	Status
1	Delon Dik-Lung Cheng (1)	PHC completed on April 26, 2024. Hearing is scheduled for November 22, 2024.
2	Delon Dik-Lung Cheng (2)	PHC completed on April 26, 2024. Hearing is scheduled for November 22, 2024.



3	Mohmed Shoeb M. Chikhlikar	PHC completed April 11 & May 17, 2024. To proceed to a contested hearing, which is anticipated to be over 2 weeks. Week 1 of the hearing is tentatively scheduled for December 16 to December 20, 2024. Week 2 of the hearing is tentatively scheduled for February 10 to February 14, 2025.
4	Nathalie Xian Yi Yan	The Notice of Hearing was served on the Member on May 14, 2024. Discipline office canvassing the parties for pre-hearing conference availability for the new year.
5	Chun Sheng Liu (1)	The Notice of Hearing was served on the Member on June 18, 2024. Pre-hearing scheduled to occur on January 23, 2025.
6	Chun Sheng Liu (2)	The Notice of Hearing was served on the Member on June 18, 2024. Pre-hearing scheduled to occur on January 23, 2025.

There is no discipline decision currently under appeal.

This report is current as of November 19, 2024, in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Fitness to Practise Committee Report

Fitness to Practise Committee Members

Iftikhar Choudry	Public Member (Chair)
Meiying Chen	Professional Member
Bo Feng	Professional Member
Terry Hui	Professional Member
Christine Lang	Professional Member
Joanne Pritchard-Sobhani	Professional Member
Xianmin Yu	Professional Member
Jin Qi (Jackie) Zeng	Professional Member
Kimberley Bishop	Public Member
Judy Cohen	Public Member
Mark Handelman	Public Member
Kevin Ho	Public Member
Deborah Sinnatamby	Public Member

Pursuant to the College Bylaw, every member of Council is a member of the Fitness to Practise Committee.

The Fitness to Practise Committee did not meet since the September 18th, 2024 Council meeting.

This report is current as of November 19, 2024, in anticipation of the Council meeting scheduled for December 5, 2024.



FOR: Information

SUBJECT: Doctor Title Working Group Report

Doctor Title Working Group Members

Joanne Pritchard-Sobhani	Professional Member / Chair
Kimberley Bishop	Public Member
Iftikhar Choudry	Public Member
Judy Cohen	Public Member
Terry Hui	Professional Member
Xianmin Yu	Professional Member
Ming C. Cha	Non-Council Professional Member

Since the last quarterly report, the Doctor Title Working Group met on September 24, October 17, and November 14, 2024.

FOR INFORMATION

1. Doctor Title Consultation Feedback

The College received many constructive comments and recommendations for consideration from the general consultation and targeted discussions with system partners. The Working Group has met several times to review the feedback provided.

There was no substantive feedback regarding changes to the Competencies for the Traditional Chinese Medicine Doctor Class.

Discussions with schools focused on the transition period for schools to obtain a degree program, a degree program as a requirement, challenges for schools in obtaining approval for a degree program, and concerns with the content of the survey.

Individual meetings were held with various TCM associations. Overall, there was strong support for the College's direction with the competencies, scope and the consultation process. The major themes in these discussions were labour mobility within Canada, the prerequisites for the professional designation, and liaising with the Ministry of Colleges and Universities.

Based on feedback and Working Group discussions, the Working Group have revised Path One and Path Two of the Possible Competency Assessment Paths to Registration.

2. Next Steps

The College has provided the Ministry of Health with a package of materials and a progress update, as per their request and are awaiting their feedback.



The Working Group is now working on reviewing the structure and content of the proposed OSCE (Observed Structured Clinical Examination) and clinical case study questions.

A more detailed presentation and information will be provided to the Council at a later date.

This report is current to November 14, 2024, in anticipation of the Council meeting scheduled December 5, 2024.



FOR: Information

SUBJECT: Acupuncture Standard Ad Hoc Committee Report

Doctor Title Working Group Members

Meiying Chen	Professional Member
Shuli Chen	Professional Member
Ming Cha	Professional Member
Julia Chuang	Professional Member
Joanne Pritchard-Sobhani	Professional Member
Jin Qi (Jackie) Zeng	Professional Member / Chair
Kevin Ho	Public Member
Deborah Sinnatamby	Public Member

The Acupuncture Standard Ad Hoc Committee met on November 12, 2024.

FOR INFORMATION

1. Committee Training

A training session for the Committee was held on November 12, 2024. The session included a presentation on legislation, standards of practice, and controlled acts. The Committee also had a fulsome initial discussion on the resources needed for research and what other information they would like to include in this new standard of practice.

This report is current to November 14, 2024, in anticipation of the Council meeting scheduled December 5, 2024.

Meeting Date:	December 5, 2024
Issue:	Council Election Update
Reported By:	Sean Cassman
Action:	Information

Issue

Staff will provide an update on the 2024 elections.

Public Interest Rationale

Council elections help ensure that Council is constituted with the appropriate number of Council members, which allows the College to function. Professional Council members, making decisions in the public interest, help the College achieve its mandate of public protection.

Background

The 2024 Council elections have concluded and, barring any recounts, the results are available. Below is a summary of the results.

District 3

Terry Hui and Kathy (Bo) Feng have been re-elected to their seats in District No. 3, for a three year term. In addition, Fanny Ip has been newly elected to a seat in District No. 3, for a three-year term. Although this is Ms. Ip's first term on Council, she has long served as a non-Council Committee member, particularly on the ICRC Committee.

Congratulations to all successful candidates!

Results

Rank	Candidate ID	Candidate	Votes	%
1	16245401	Terry Hui	163	50.94
2	16245397	Bo (Kathy) Feng	93	29.06
3	16245398	Fanny Ip	90	28.12
4	16245399	Feng Lou	89	27.81
5	16245400	Mark Bui	77	24.06
Total votes:			512	

Next Steps

The 2025 elections will be the first to include a competency requirement. Staff have begun preparing some recommendations related to this in terms of process and required documentation. This will be brought to Council at the next meeting.



SUBJECT: Elections Process Overview

The process for the elections of officers (President, Vice-President and Executive Committee Members) to Council is subject to the College By-Laws. The process for the election of each position, their duties and the eligible nominees for each position as well as the required composition of the Executive Committee, are spelled out in the following documents:

President	Item 11 of Package
Vice-President	Item 12 of Package
Executive Committee Member	Item 13 of Package

With the concurrence (i.e. approval) of Council, two members of the College staff and legal counsel will act as returning officers for the voting process.

1. Where there is only one candidate for the office, the said candidate shall be acclaimed.
2. Where there is more than one candidate for the office, voting shall be conducted by secret ballot. The candidate who receives a majority of the votes cast (i.e. 50% + 1) on a ballot shall be declared elected.
3. Where no candidate receives a majority of the votes cast on the ballot, the one receiving the lowest number of votes on the ballot shall be deleted from the next ballot and a fresh vote shall take place.
4. If there is a tie on the lowest number of votes for two members, there shall be a recount. If there is still a tie, one of the returning officers shall break the tie by lot and the member who prevailed shall then proceed to the next round until one candidate receives a majority of votes.
5. This procedure shall be followed until one candidate receives a majority of the votes cast on a ballot.

Prior to the opening vote for each position, each nominee for each position will be allowed a maximum of **two minutes** to speak to Council regarding their candidacy for the position.

The election will be conducted virtually. The following voting process will be used.

1. Once the candidates have made their opening comments, a returning officer will send an email with the list of candidates to all Council members.

2. Council members will reply to the email with the name of their selected candidate.
3. Council members will be given a 5-minute time limit to respond with their vote.
4. The returning officer will tally the votes, verify with the other returning officers, and relay the winner to the Chair. The Chair will announce the result.

Executive Committee's Exercise of Council's Powers

The Executive Committee's exercise of Council's powers is subject to Section 12 of the Health Professions Procedural Code, Schedule 2 of the *Regulated Health Professions Act, 1991*.

Between the meetings of the Council, the Executive Committee has all the powers of the Council with respect to any matter that, in the Committee's opinion, requires immediate attention, other than the power to make, amend or revoke a regulation or by-law.

If the Executive Committee exercises a power of the Council under subsection (1), it shall report on its actions to the Council at the Council's next meeting



FOR: Information

SUBJECT: Elections – President

Election of the President

The election of the President is subject to Section 7.03 of the College By-Laws.

At the meeting of the Council when the election of officers shall take place, the Registrar shall present the names of candidates who have indicated their interest for the position of President. Where there is only one candidate, the Registrar shall declare the candidate elected by acclamation.

Where there is more than one candidate for the office, voting shall be conducted by secret ballot and for this purpose, the Registrar shall, with the concurrence of the Council, appoint three (3) returning officers to count the ballots and report the results to the Council. The candidate who receives a majority of the votes cast on a ballot shall be declared elected.

Where no candidate receives a majority of the votes cast on the ballot, the one receiving the lowest number of votes on the ballot shall be deleted from the next ballot and a fresh vote shall take place. If there is a tie on the lowest number of votes for two members, there shall be a recount. If there is still a tie, a returning officer shall break the tie by lot and one member shall then proceed to the next round of the election process until one candidate receives a majority of votes.

This procedure shall be followed until one candidate receives a majority of the votes cast on a ballot. Where an issue arises during an election that is not governed by this paragraph, the Registrar shall, with the concurrence of the Council, adopt a fair and democratic process including, where appropriate, selection by a returning officer by lot.

Duties of the President

The specific duties of the President are set out in Section 8.01 of the College By-Laws.

- (i) The President, in conjunction with the Council, is ultimately responsible for fulfilling the mandate, objectives and strategic plans of the College. He or she is directly accountable to the Council and indirectly accountable to the government, the public and the profession for the effective governance of the College in accordance with all applicable legislative requirements.
- (ii) Specific duties of the President include:



- a. presiding as chair of all meetings of the Council, the Executive Committee and of Members, unless a non-voting chair has been appointed to facilitate the meeting;
- b. overseeing the operations and performance of the Council;
- c. working with the Registrar to ensure smooth, efficient conduct of all meetings and that decisions of the Council and Executive Committee are implemented;
- d. participating in cultivating, recruiting and orienting new Council Members, officers, committee Members and chairs, and volunteers;
- e. overseeing and ensuring that a process is in place to evaluate the performance and employment conditions of the Registrar;
- f. representing the College as the authorized spokesperson on Council policies and positions to promote the mandate and objectives of the College;
- g. signing contracts, documents or instruments in writing as required by the College;
- h. liaising with the Registrar on any issues relating to the interactions between Members of the Council and College staff;
- i. is an ex-officio member of all committees; attendance at any committee meetings will be at the discretion of the President; chairs of committees shall file minutes and reports with the Registrar to keep the President informed; and
- j. other duties as assigned by the Council from time to time.



FOR: Information

SUBJECT: Elections – Vice-President

Election of the Vice-President

The election of the Vice-President is subject to Section 7.04 of the College By-Laws.

At the meeting of the Council when the election of officers shall take place, the Registrar shall present the names of candidates who have indicated their interest for the position of Vice-President. Where there is only one candidate, the Registrar shall declare the candidate elected by acclamation.

Where there is more than one candidate for the office, voting shall be conducted by secret ballot and for this purpose, the Registrar shall, with the concurrence of the Council, appoint three (3) returning officers to count the ballots and report the results to the Council. The candidate who receives a majority of the votes cast on a ballot shall be declared elected.

Where no candidate receives a majority of the votes cast on the ballot, the one receiving the lowest number of votes on the ballot shall be deleted from the next ballot and a fresh vote shall take place. If there is a tie on the lowest number of votes for two members, there shall be a recount. If there is still a tie, a returning officer shall break the tie by lot and one member shall then proceed to the next round of the election process until one candidate receives a majority of votes.

This procedure shall be followed until one candidate receives a majority of the votes cast on a ballot. Where an issue arises during an election that is not governed by this paragraph, the Registrar shall, with the concurrence of the Council, adopt a fair and democratic process including, where appropriate, selection by a returning officer by lot.

Duties of the Vice-President

The duties of the Vice-President are set out in Section 8.02 of the College By-Laws.

- (i) The Vice-President shall have all the powers and shall perform all the duties of the President in the event of the absence, or the inability of the President to act. The Vice-President is directly accountable to the Council and indirectly accountable to the government, the public and the profession for the effective governance of the College in accordance with all applicable legislative requirements.
- (ii) Specific duties of the Vice-President include:



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- a. serving on the Executive Committee;
- b. any duties delegated by the President unless not approved by the Council;
- c. acting as a signing officer on cheques and other documents as required by the Council; and
- d. other duties as assigned by the Council from time to time.



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FOR: Information

SUBJECT: Elections – Executive Committee Members

Election and Composition

The election and composition of the Executive Committee is subject to Sections 7.06 and 12.01 of the College by-laws.

The three Executive Committee Members shall be elected following a procedure similar to the election of the President. The Executive Committee shall be composed of the President, the Vice-President and three (3) Members of the Council. Two of the Members of the Executive Committee shall be Public Members. The President shall be the chair of the Executive Committee.

UNAUDITED College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario
Statement of Operations

Q2 April - September 2024

		Q2 Actuals 2024-2025	Annual Budget 2024-2025	Actual to Budget %	Budget Remaining (balance of Year)
GL Code	Revenue				
4101000	Registration Fees	\$ 164,375.00	\$ 190,825.00	86.14%	\$ 26,450.00
4102000	Renewal Fees	\$ 3,543,349.98	\$ 3,625,000.00	97.75%	\$ 81,650.02
4200000	Administration Fees	\$ 59,600.00	\$ 73,775.00	80.79%	\$ 14,175.00
4300000	Pan Can Examination Fees	\$ 528,286.75	\$ 510,720.00	103.44%	\$ (17,566.75)
4400000	Other Income-Government Funds	\$ -	\$ 340,000.00	0.00%	\$ 340,000.00
4500000	Other Fees	\$ 29,800.00	\$ 42,000.00	70.95%	\$ 12,200.00
4600000	Other Income	\$ 153,260.50	\$ 201,000.00	76.25%	\$ 47,739.50
	Total Income	\$ 4,478,672.23	\$ 4,983,320.00	89.87%	\$ 504,647.77
GL Code	Expenses				
	Council & Committees	\$ 394,248.64	\$ 1,127,200.00	34.98%	\$ 732,951.36
6100000	Council	\$ 22,190.95	\$ 101,500.00	21.86%	\$ 79,309.05
6201000	Executive Committee	\$ 8,660.73	\$ 30,500.00	28.40%	\$ 21,839.27
6202000	Registration Committee and Panel	\$ 17,686.20	\$ 68,300.00	25.89%	\$ 50,613.80
6203000	ICRC Committee	\$ 163,148.75	\$ 370,000.00	44.09%	\$ 206,851.25
6204000	Quality Assurance Committee	\$ 15,833.28	\$ 142,600.00	11.10%	\$ 126,766.72
6205000	Patient Relations Committee	\$ 8,257.38	\$ 47,750.00	17.29%	\$ 39,492.62
6206000	Discipline Committee	\$ 158,471.35	\$ 362,300.00	43.74%	\$ 203,828.65
6207000	Fitness to Practice Committee	\$ -	\$ 4,250.00	0.00%	\$ 4,250.00
6300000	Professional Services	\$ 134,371.45	\$ 246,000.00	54.62%	\$ 111,628.55
6301000	Legal Fees	\$ 37,407.61	\$ 95,000.00	39.38%	\$ 57,592.39
6302000	Accounting Fee	\$ 4,933.44	\$ 34,000.00	14.51%	\$ 29,066.56
6303000	Expert Consultation	\$ 50,130.00	\$ 27,000.00	185.67%	\$ (23,130.00)
6304000	Government Relations	\$ 41,900.40	\$ 90,000.00	46.56%	\$ 48,099.60
6400000	Special Programs/Projects	\$ 386,958.79	\$ 1,156,234.00	33.47%	\$ 769,275.21
6401000	Pan-Canadian Examinations	\$ 162,864.00	\$ 379,734.00	42.89%	\$ 216,870.00
6402000	Doctor Title	\$ 66,756.42	\$ 203,500.00	32.80%	\$ 136,743.58
6403000	Strategic Initiatives	\$ -	\$ 100,000.00	0.00%	\$ 100,000.00
6404000	Program Approval	\$ 47,000.84	\$ 75,000.00	62.67%	\$ 27,999.16
6405000	Safety and Jurisprudence Test	\$ 15,605.99	\$ 35,000.00	44.59%	\$ 19,394.01
6407000	Acupuncture Working Group	\$ -	\$ 23,000.00	0.00%	\$ 23,000.00
6800000	Pan Can Chinese Language Examination	\$ 94,731.54	\$ 340,000.00	27.86%	\$ 245,268.46
6500000	Administrative Expenses	\$ 854,247.80	\$ 1,963,600.00	43.50%	\$ 1,109,352.20
6500000	Salaries and Benefits	\$ 854,247.80	\$ 1,913,600.00	44.64%	\$ 1,059,352.20
6502000	Casual Labour	\$ -	\$ 50,000.00	0.00%	\$ 50,000.00
6600000	Information Technology	\$ 96,949.55	\$ 291,500.00	33.26%	\$ 194,550.45
6602000	Equipment Expenses	\$ 2,129.73	\$ 12,000.00	17.75%	\$ 9,870.27
6603000	Software Licenses & Development	\$ 27,313.32	\$ 152,000.00	17.97%	\$ 124,686.68
6604000	Maintenance and Support Contracts	\$ 33,833.74	\$ 61,500.00	55.01%	\$ 27,666.26
6605000	Online Services	\$ 28,764.04	\$ 54,000.00	53.27%	\$ 25,235.96
6606000	Network Security	\$ 4,908.72	\$ 12,000.00	40.91%	\$ 7,091.28
6700000	Operating Expenses	\$ 189,769.86	\$ 555,100.00	34.19%	\$ 365,330.14
6701000	General Operating Costs	\$ 134,461.51	\$ 300,100.00	44.81%	\$ 165,638.49
6702000	Payment Gateway	\$ 20,196.98	\$ 150,000.00	13.46%	\$ 129,803.02
6703000	Subscriptions and Conferences	\$ 30,711.38	\$ 50,000.00	61.42%	\$ 19,288.62
6704000	Communications and Publications	\$ 4,399.99	\$ 55,000.00	8.00%	\$ 50,600.01
45	Total Expenses	\$ 2,056,546.09	\$ 5,339,634.00	38.51%	
46	Net Income	\$ 2,422,126.14	\$ (356,314.00)		

Meeting Date:	December 5, 2024
Issue:	Governance Review Consultant
Reported By:	Sean Cassman and Jennifer Nghiem
Action:	For Discussion and Decision

Issue

The College last contracted a third-party to review our governance practices in 2021 and it is now time to plan for another assessment, as per the review schedule.

Public Interest Rationale

The College has a mandate to regulate the profession in the public interest. Council plays a crucial role in the College fulfilling this mandate, and it is important that College governance practices are reviewed from regularly to ensure the Council is functioning well. This has become more important with the CPMF, which provides specific requirements relating to governance.

Background

A requirement of the College Performance Measurement Framework (CPMF) includes a third-party assessment of Council effectiveness at a minimum every three years. The College is now at the beginning of the next 3-year cycle and must select a consultant to conduct an assessment this year.

At the August 14, 2024, meeting of the Executive Committee, it was recommended that the College send out a Request for Proposal (RFP) to seek out interested third-parties. However, after discussion with the Council President and a preliminary review of consultants used by other Colleges, staff are recommending a less formal approach where staff will contact the known consultants to ask them for information. This will be a more efficient process that will allow staff to bring back information by the December Council meeting.

Staff heard back from the following consultants:

Consultant	Proposal
Nanci Harris	<ul style="list-style-type: none"> • Fee: \$1500 • Process <ul style="list-style-type: none"> ○ Pre-meeting with college staff ○ Review of College website and pertinent documents (checklist) ○ Attend one Council meeting ○ Board report
Satori Consulting	<ul style="list-style-type: none"> • Fees (see attachment for additional information) <ul style="list-style-type: none"> ○ \$18,050 (Year 1 Peer and Effectiveness) ○ \$8,875 (Year 1 Effectiveness Only) • Process



	<ul style="list-style-type: none">○ Peer/Effectiveness Assessment survey● Deliverables:<ul style="list-style-type: none">○ Board report○ Committee level reports○ Individual reports○ Development planning guide○ Review of results at on-site or virtual Board meeting○ Develop action plan
WATSON Advisors	<ul style="list-style-type: none">● Fee: \$30,000● Process<ul style="list-style-type: none">○ Project Initiation○ Document Review○ Interviews○ Analysis○ Reporting○ Debrief
The Regulator's Practice	<ul style="list-style-type: none">● Fee: \$35,000 + GST + Expenses● Process<ul style="list-style-type: none">○ Onboarding○ Feedback○ Debrief and Action Plan○ Process Feedback

The Registrar met with Satori Consulting, Watson Advisors, and The Regulator's Practice for additional information. Each company is aware of the needs for this project, and would be ready to start the process as soon as possible. A copy of the correspondences received from four of the consultants have been provided for review.

Next Steps

Council to make a motion for the selection for the third-party consultant.

Encl.: Nanci Harris Response
Satori Consulting – Statement of Work
WATSON Advisors – Proposal
The Regulator's Practice



Meeting Date:	December 5, 2024
Issue:	By-Law Updates
Reported By:	Sean Cassman
Action:	Motion

Issue

The Executive Committee has recommended some changes to the College by-laws following discussions on succession planning.

Public Interest Rationale

The College by-laws are a set of binding rules and processes that are applicable to the Council, Committees, Staff, and members of the College. They are intended to ensure the College is fulfilling its public safety mandate, and any changes to them must consider the public interest first and foremost.

Background

Following the conclusion of the recent Registrar search to fill the vacant position, the Executive Committee has turned their attention to succession planning. Following the departure of the previous Registrar, it has been identified that there are no written procedures to address turnover in key leadership positions. This can be addressed in several ways, including some by-law amendments. Suggestions for these are detailed below.

Registrar Duties

The Executive Committee recommends more details are added to the Registrar Duties section to ensure that the definition of the role remains consistent. There was concern that without this set in the by-laws, the knowledge of important functions could be lost over time with turnover on Council and staff. It was recommended that the wording previously included in the by-laws as of 2016 be re-inserted into this section. The draft language included mirrors the previous language used in the by-laws.

Previous President as Advisor

A potential situation was identified where a sitting President may not be able to continue their position on Council (e.g. a Professional member reaching 9 years on Council). This would create a situation where there is forced turnover in this position whether or not another Council member is willing and able to serve as the next President. In such a situation, it would be beneficial for Council to have the option of retaining the outgoing President in an advisory capacity.

An approach taken by other Colleges is to appoint the immediate previous President as an advisory, ex-officio non-voting member of the Executive Committee. In such a situation, the previous President does not have any voting or decision making power, but can participate in discussions and offer support



where needed. The draft language included in the package is similar to that used by the [College of Homeopaths of Ontario](#).

Proposed changes

Section 1.01 Definition

Section	Action	Reason
Add definition of "Past President": means the immediate past President of the College, who may be an advisory ex-officio non-voting member of the Executive Committee.	New provision	Define what is meant by "Past President" in by-laws.

Section 12.01 Executive Committee

Section	Action	Reason
12.01(iv) Council may appoint the immediate Past President of the College, who shall be an advisory ex-officio non-voting member of the Executive Committee.	New provision	To avoid any loss in knowledge and provide a new Executive Committee with a advisory resource should it be needed.

Section 14.04 Registrar Duties

Section	Action	Reason
<p>The Registrar shall perform those duties and responsibilities set out in the RHPA, the Act, the regulations and the By-Laws of the College as well as duties and responsibilities as shall be assigned by Council. The Registrar reports to the Council in:</p> <ol style="list-style-type: none">1. providing support to the Council and its committees in developing and implementing regulations, by-laws and policies and ensuring compliance with statutory obligations;2. assisting the Council in its strategic planning process;3. establishing and maintaining administrative, human resource, and financial operations of the office, in collaboration with the Council or Executive Committee, to ensure effective management within approved policies and budgets;	Amended	To preserve the understood role of the Registrar through turnover on Council and staff.



<p>4. acting as the custodian of the seal of the College and of all books, papers, records, correspondence, contracts and other documents belonging to the College;</p> <p>5. signing contracts, documents, and other instruments in writing as assigned by the Council or as are incidental to the office of the Registrar;</p> <p>6. recruiting and supervising staff, consultants and contractors;</p> <p>7. promoting and maintaining good relations and communications with practitioners, other regulatory bodies and stakeholders, government (including the Minister of Health and Long-Term Care) and the public; and</p> <p>8. working in collaboration with the President, represents the College to relevant organizations to promote and build external relations and to further the objectives of the College.</p>		
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Next Steps

If approved, the by-law amendments will be circulated for a 60-day public consultation period. After this time, the amendments will be brought back for final approval.



College of Traditional Chinese Medicine
Practitioners and Acupuncturists of Ontario

Ordre des praticiens en médecine traditionnelle
chinoise et des acupuncteurs de l'Ontario

By-Laws of the College of Traditional Chinese Medicine and Acupuncturists of Ontario

Approved: March 6, 2018
Amended: June 12, 2024

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1. INTERPRETATION

1.01 Definitions

In these By-Laws, unless otherwise defined or required by the context,

"Act"	means the <i>Traditional Chinese Medicine Act, 2006</i> ;
"Auditor"	means the accountant or firm of accountants duly licensed under the <i>Public Accounting Act</i> who have been appointed by Council;
"By-Law" or "By-Laws"	means the By-Laws of the College;
"Code"	means the <i>Health Professions Procedural Code</i> , which is Schedule 2 of the RHPA;
"College"	means the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario;
"Committee"	means the committees established under section 10 of the Code, called statutory committees, and the committees established under these By-Laws, called By-law committees;
"Council"	means the Council of the College established under section 6 of the Act;
"Council Member" (sometimes referred to as a "member of Council")	means a Member elected to Council or a Public Member appointed to Council;
"Ex-officio"	means "by virtue of the office" and, for greater certainty, unless otherwise specifically provided for, an ex-officio member of a Committee has all of the rights, responsibilities and powers of any other member of the Committee, including the right to vote and to be counted as part of quorum;
"Member"	means a member of the College;
"non-Council member"	means a Member who is not a member of the Council who has been appointed to a Committee;
<u>"Past President"</u>	<u>means the immediate past President of the College, who may be an advisory ex-officio non-voting member of the Executive Committee.</u>

"President" and "Vice-President"	means, respectively, the President and the Vice-President of the College;
"Professional Association"	means an organized group of individuals who promote and advocate for the interests of the profession related to Traditional Chinese Medicine or acupuncture, but does not include a school whose sole purpose is to educate;
"Professional Member"	means a person described in clause 6(1)(a) of the Act;
"Public Member"	means a person described in clause 6(1)(b) of the Act;
"Register"	means the Register required to be kept pursuant to the Code;
"Registrar"	means the Registrar of the College; and
"RHPA"	means the <i>Regulated Health Professions Act, 1991</i> .

1.02 Singular and Plural / Gender

In these and all By-Laws of the College, the singular shall include the plural, the plural shall include the singular; words expressed in one gender shall include all genders.

1.03 Legislative References

Any reference in these By-Laws to a statute, a regulation or a section of a statute or regulation shall be deemed to apply to any re-enactment or amendment of that statute, regulation or section, as the case may be.

1.04 Consistency with RHPA and Act

All provisions of these By-Laws shall be interpreted in a manner consistent with the RHPA and the Act and where any inconsistency is found to exist, the inconsistent provision shall, where practical, be severed from these By-Laws.

1.05 Calculating Time

A reference in these and all By-Laws of the College to the number of days between two events means calendar days and excludes the day on which the first event happens and includes the day on which the second event happens.

1.06 Holidays

A time limit in these and all By-Laws of the College that would otherwise expire on a holiday or a weekend is extended to include the next day that is not a holiday or a weekend.

2. GENERAL

2.01 Seal



The seal depicted above is the seal of the College.

2.02 Seal Affixed

The seal of the College shall, when required, be affixed to contracts, documents or instruments in writing, by a person authorized to sign the document

3. BANKING AND FINANCE

3.01 Banking

All money belonging to the College shall be deposited in the name of the College with one or more banks (which shall be a Schedule 1 or Schedule 2 bank under the Bank Act (Canada) (the "bank").

3.02 Bank Signing Authority

- (i) The Registrar, Deputy Registrar or other person authorized by Council, may endorse any cheque or other negotiable instrument for collection on account of the College through the bank or for deposit to the credit of the College with the bank.
- (ii) Council from time to time may authorize, by resolution, officers or other persons, whether or not they are officers of the College, to sign contracts, documents, cheques and other instruments pertaining to the College's bank account. In the absence of such a resolution, any two of the Registrar or the Deputy Registrar and a member of the Executive Committee, are authorized to sign banking documents.

3.03 Investments

- (i) All monies belonging to the College may be deposited or invested, within limitations set by Council.
- (ii) All share certificates, bonds, debentures, notes or obligations belonging to the College shall be issued in the name of the College.

3.04 Custody of Securities

All securities owned by the College shall be lodged, in the name of the College, with a Canadian chartered bank or a Canadian trust company, or in a safety deposit box, or held in accounts with such brokerage houses as may be authorized by Council from time to time. Any securities and other

documents shall be placed or removed only by any two of the Registrar, Deputy Registrar and a member of the Executive Committee.

3.05 Borrowing

- (i) Council may by resolution
 - a. borrow money on the credit of the College;
 - b. limit or increase the amount to be borrowed;
 - c. sell or pledge securities of the College for such sums or prices as may be deemed expedient; and
 - d. charge, mortgage, hypothecate or pledge all or any currently owned subsequently acquired real or personal, moveable or immovable property of the College, including book debts, rights, powers, franchises and undertakings, to secure any such debt obligations or any money borrowed or other debt or liability of the College
- (ii) The Executive Committee shall from time to time review the terms and conditions of the monies borrowed and make recommendations to Council to schedule repayment.

3.06 Signing Authority

Any two of the Registrar, the Deputy Registrar or the Director of Finance and a member of the Executive Committee may approve purchases or leasing of goods and acquisition of services in accordance with the following provisions:

- (i) All cheques or payments issued on behalf of the College in excess of \$25,000.00, excluding salaries, or such other amounts as may be determined by the Council from time to time, must be signed by one of the Registrar or Deputy Registrar and one of the President, Vice-President or such other person as Council may designate.
- (ii) All cheques or payments issued on behalf of the College not in excess of \$25,000.00, excluding salaries, or such other amount as may be determined by the Council shall be signed by any two of the following: Registrar, Deputy Registrar, Director of Finance, the President, Vice-President, or other such person as Council may designate, with the exception of the person to whom the cheque is made payable. At least one signature must be from the Registrar, Deputy Registrar or Director of Finance.
- (iii) The Registrar or Deputy Registrar may not make any payment where amounts or orders have been split to avoid the limit on purchases or where due diligence has not been exercised with respect to potential or actual conflicts of interest.

3.07 Fiscal Year

The fiscal year of the College shall be from April 1st to March 31st of the following year.

3.08 Auditors

The Council shall annually appoint an auditor to audit the accounts of the College and to hold office for the ensuing year.

3.09 Execution of Other Documents

- (i) Deeds, mortgages and real property leases requiring the signature of the College shall be signed by the President or the Vice-President together with either the Registrar or the Deputy Registrar and shall be binding upon the College without any further authorization or formality. Council may by resolution appoint any officer or officers or any person or persons on behalf of the College either to sign deeds, mortgages and real property leases.
- (ii) Subject to section 3.09(i), all cheques and contracts may be signed by the Registrar alone in compliance with policies approved by Council from time to time.
- (iii) The term “contracts, documents or instruments in writing” as used in these By-Laws is intended to include deeds, mortgages, hypothecs, charges, conveyances, transfers and assignments of property, real or personal, movable or immovable, powers of attorney, agreements, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers and assignments of shares, bonds, debentures or other securities and all paper writings.
- (iv) Except where otherwise provided by law, the Registrar may sign summonses, notices and orders on behalf of the College or any Committee of the College.

4. ELECTION OF COUNCIL MEMBERS

4.01 Electoral Districts

The following are the Electoral Districts for all Council Member elections (with necessary modifications by the Registrar to ensure that the entire province is covered and that there is no overlap of Districts):

- (i) Electoral District 1: North East. North East comprised of the districts of Kenora, Rainy River, Thunder Bay, Algoma, Cochrane, Manitoulin, Parry Sound, Nipissing, Timiskaming, and Sudbury; the district municipality of Muskoka; and the city of Greater Sudbury; the counties of Frontenac, Hastings, Lanark, Renfrew, Lennox and Addington; the united counties of Leeds and Grenville, Prescott and Russell, Stormont, Dundas, Glengarry; and the cities of Prince Edward and Ottawa.
- (ii) Electoral District 2: Central East comprised of the counties of Haliburton, Northumberland, Peterborough, and Simcoe, the city of Kawartha Lakes, and the regional municipality of Durham.
- (iii) Electoral District 3: Central comprised of the city of Toronto and the regional municipality of York.
- (iv) Electoral District 4: Central West comprised of the counties of Dufferin, Wellington, Haldimand, Brant and Norfolk, the regional municipalities of Halton, Niagara, Peel, and Waterloo, and the city of Hamilton.
- (v) Electoral District 5: West comprised of the counties of Essex, Bruce, Grey, Lambton, Elgin, Middlesex, Huron, Perth, Oxford, and the regional municipality of Chatham- Kent.

4.02 Eligibility to Vote in an Electoral District

A Member is eligible to vote in the electoral district in which the Member, within 30 days of the election, primarily practices, or if the Member is not engaged in the practice of Traditional Chinese Medicine, in which the Member has primary residence.

4.03 Number of Members per Electoral District

For each electoral district referred to in column 1 of the following table, there shall be elected to Council the number of Members set out opposite in column 2.

Column 1	Column 2
Electoral District	Number of members
1	2
2	1
3	3
4	2
5	1

4.04 Term of Office

The term of office of a Member elected to Council is approximately three years, commencing with the first regular meeting of Council immediately following the election. The Member shall continue to serve in office until the Member's successor takes office in accordance with these By- Laws.

4.05 Maximum Term

A Member who has served on Council for nine consecutive years is ineligible for election to Council until a full three-year term has passed since that Member last served on Council. The first nine-year period does not commence until after the first election in each electoral district.

4.06 Staggered Terms

- (i) An election of Members to Council shall be held:
 - a. in 2017, and in every third year after that for Members from electoral districts 1 and 2;
 - b. in 2018, and in every third year after that for Members from electoral district 3; and
 - c. in 2016, and in every third year after that for Members from electoral districts 4 and 5.

4.07 Election Date

The Registrar, as directed by Council, shall set the date for election to Council of candidates in each electoral district.

4.08 Eligibility for Election

A Member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:

- (i) the Member holds a General class of certificate of registration;
- (ii) the Member is eligible to vote in the electoral district in which the Member is nominated;
- (iii) the member is not the subject of any disciplinary or incapacity proceedings by a body that governs a profession, inside or outside of Ontario;
- (iv) no findings of professional misconduct, incompetence or incapacity has been made against the Member in the preceding six years by a body that governs a profession, inside or outside of Ontario;
- (v) a period of six years has elapsed since the Member complied with all aspects of an order imposed by the Discipline or Fitness to Practice Committee or by a similar committee of a body that governs a profession, inside or outside of Ontario;
- (vi) the Member's certificate of registration has not been revoked or suspended in the six years preceding the date of nomination;
- (vii) the Member is not subject to any order, direction, or term, condition and limitation of the Discipline Committee, the Fitness to Practice Committee or the Quality Assurance Committee or by a similar committee of a body that governs a profession, inside or outside of Ontario;
- (viii) the Member is not in default of payment of any fees or costs to the College;
- (ix) the Member is not at present nor has been at any time within the last two years, a director, owner, board member, officer or employee of any Professional Association;
- (x) The Member is not at present nor has been at any time within the last two years, a director, owner, board member or officer of an educational institution relating to traditional Chinese medicine;
- (xi) the Member has not been disqualified from the Council or a Committee of the Council in accordance with section 5.01 in the preceding three years;
- (xii) the Member has not resigned from the Council in the preceding three years;
- (xiii) the Member does not have a conflict of interest to serve as a member of Council or has agreed to remove any such conflict of interest before taking office;
- (xiv) the Member is not a member of the Council or of a Committee of the College of any other college regulated under the RHPA;
- (xv) the Member has not been a member of the staff of the College at any time within the preceding one year;
- (xvi) the Member has not initiated, joined, continued or materially contributed to a legal proceeding against the College or any Committee or representative of the College.

- (xvii) the member has satisfied the Nominations Committee that the member has all of the competencies to be an effective member of Council as set out in a list of competencies approved by Council;
- (xviii) the member has successfully completed the College's current training program relating to the duties, obligations and expectations of Council and committee members;
- (xix) Has not been found guilty of a criminal offence within the preceding eight years.

4.09 Nominations

- (i) The Registrar shall supervise the nomination of candidates.
- (ii) No later than 120 days before the date of an election, the Registrar shall notify every Member eligible to vote of the date, time and electoral district of the election and of the nomination procedure.
- (iii) The nomination of a candidate for election as a member of Council shall be in writing and shall be given to the Registrar at least 60 days before the date of the election (the "nomination deadline").
- (iv) The nomination shall be signed by the candidate and by at least three Members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

4.09.1 Competency Assessment by Nominations Committee

- (i) A member wishing to satisfy the competency requirement as set out in section 4.08(xvii) shall provide to the Registrar the completed form, a current CV, and supporting documentation no later than 90 days before the date of the election so as to allow the Nominations Committee time to decide if the member meets the requirement of that article.
- (ii) The Nominations Committee shall notify each member affected and the Registrar of any decision at least 60 days before the date of the election.
- (iii) The Nominations Committee decision under section 4.08(xvii) is solely within the discretion of the Nominations Committee, final and not subject to challenge and an election result is not subject to challenge on the basis that a member of the College was not permitted to stand for election as a result of the decision of the Nominations Committee.

4.10 Nomination Package

The candidate shall provide to the Registrar by the nomination deadline or such later date as the Registrar permits, biographical information in a manner acceptable to the Registrar for the purpose of distribution to eligible Members in accordance with the By- Laws.

- (i) Completed nomination form; and
- (ii) Biographical information in a manner acceptable to the Registrar for the purpose of distribution to eligible Members in accordance with the By- Laws.

4.11 Withdrawal of Nomination

The candidate may withdraw his or her nomination for election to Council no later than 30 days before the date of the election.

4.12 Acclamation

If the number of candidates nominated for an electoral district is less than or equal to the number of members to be elected in that electoral district, the Registrar shall declare those candidates to be elected by acclamation.

4.13 Administering Elections

The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the Registrar may, subject to the By-Laws,

- (i) appoint returning officers and scrutineers;
- (ii) establish procedures and any necessary deadlines including procedures and deadlines relating to the receiving and sending of notifications, biographies, ballots and any other election materials;
- (iii) provide for the notification of all candidates and Members of the results of the election;
- (iv) if there has been a non-compliance with a nomination or election requirement, determine whether the non-compliance should be waived in circumstances where the fairness of the election will not be affected;
- (v) establish deadlines for any recounts and provide for the destruction of voting information following an election; and
- (vi) do anything else that the Registrar deems necessary and appropriate to ensure that the election is fair and effective.

4.14 Ineligibility to Vote

A Member is ineligible to vote in a council election if the Member is in default of payment of any fees prescribed by by-law or any fine or order for costs to the College imposed by the College or court of law or is in default in providing any information required by the College.

4.15 Notice of Election

No later than 30 days before the date of an election, the Registrar shall send to every Member eligible to vote in an electoral district in which an election is to take place, a list of the candidates, the candidates' biographical information, if provided, and an explanation of the voting procedure.

4.16 Voting

Except for an election in which the Registrar has declared a candidate elected to the Council by acclamation, the Registrar shall send every Member entitled to vote in an electoral district in which an election is to take place:

- (i) a list of eligible candidates;
- (ii) the means to cast a ballot; and
- (iii) instructions for voting.

4.17 Number of Votes Cast

A Member may cast as many votes on a ballot in an election of Members to the Council as there are Members to be elected to Council from the electoral district in which the Member is eligible to vote. A Member shall not cast more than one vote for any one candidate.

4.18 Vote Tabulation

- (i) The Registrar shall establish procedures for the tabulating of votes.
- (ii) The Registrar shall certify the final vote tabulation if he or she is satisfied that the votes were adequately counted.

4.19 Reporting and Recording Votes

The Registrar shall honestly and accurately report the vote counts in each election, record the results of each count and thereby determine the result of each election.

4.20 Tie Vote

If there is a tie in an election of Members to the Council, there shall be an automatic recount, following which if there is still a tie, the Registrar shall break the tie by lot.

4.21 Request for a Recount

A candidate may require a recount by making a written request to the Registrar and paying the elections recount fee of \$150 to the College no more than 15 days after the date of an election.

4.22 Holding Recount

The Registrar shall hold a recount no more than 10 days after receiving the request.

4.23 Changing Results

If the recount changes the election result, the full amount of the elections recount fee shall be refunded to the candidate.

4.24 Exceptional Circumstances

In exceptional circumstances, the Registrar may modify any time period respecting elections as the Registrar considers necessary to compensate for the exceptional circumstances.

4.25 Minor Irregularities Not Fatal

Council shall not declare an election result to be invalid solely on the basis of a minor irregularity regarding the requirements of these By-Laws or a procedure established by the Registrar.

4.26 Inquiry into Disputed Election

If, within 90 days from the date of the election, the Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any member of Council, the Council shall hold an inquiry and decide whether the election of the Member is valid and, if an election is found to be invalid, the Council shall direct another election to be held.

5. DISQUALIFICATION

5.01 Grounds for Disqualification

- (i) The Council shall, in accordance with the procedure described in these By-Laws, disqualify a Professional Member from sitting on Council if the Professional Member:
 - a. resigns from Council;
 - b. is the subject of any disciplinary or incapacity proceeding by a body that governs a profession, inside or outside of Ontario;
 - c. is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee or by a similar committee of a body that governs a profession, inside or outside of Ontario;
 - d. is found to be an incapacitated Member by a panel of the Fitness to Practice Committee or by a similar committee of a body that governs a profession, inside or outside of Ontario;
 - e. fails to attend two consecutive meetings of the Council or of a Committee in which he or she is a member, without reasonable cause in the opinion of Council;
 - f. fails to attend a hearing or review of a panel for which the Member has been selected, without reasonable cause in the opinion of Council;
 - g. ceases to either have a primary practice of Traditional Chinese Medicine or primary residence in the electoral district in which the Member was elected;
 - h. becomes a director, owner, board member, officer or employee of any Professional Association;
 - i. becomes a director, owner, board member or officer of an educational institution relating to Traditional Chinese Medicine;

- j. becomes a Member of the Council or of a committee of any other college regulated under the RHPA;
- k. breaches the conflict of interest provision(s) for Members of Council and Committees, in the opinion of the Council, after being given notice of the concern and an opportunity to respond to the concern;
- l. breaches section 36 of the RHPA which, in the opinion of Council, is of such a nature that warrants disqualification;
- m. fails to discharge properly or honestly any office to which the Member has been elected, in the opinion of the Council, after being given notice of the concern and an opportunity to respond;
- n. remains, thirty days after notice, in default of payment of any fees prescribed by By-Law or any fine or order for costs imposed by the College or court of law under the Act;
- o. remains, thirty days after notice, in default of providing any information required by the College;
- p. ceases to hold a General certificate of registration;
- q. is found guilty of a criminal offence which, in the opinion of Council, is of such a nature that warrants disqualification; or
- r. Initiates, joins, materially contributes or continues a legal proceeding against the College or any Committee or representative of the College.

5.02 Removal of Council or Committee Member

- (i) The following procedure shall be followed in the event that a Council or Committee Member is alleged to have contravened the duties of a Council or Committee Member or meets the criteria for disqualification set out in section 5.01 other than paragraphs a, b, or n.
 - a. A written complaint shall be filed with the Registrar. A complaint can be made by a member of the public, a Council or Committee Member or the Registrar. If a member of Council or a Committee receives such a complaint, he or she shall immediately file it with the Registrar.
 - b. The Registrar shall report the complaint to the President who shall bring the complaint to the Executive Committee if he or she believes that the complaint may warrant formal action. In the event that the information relates to another member of the Executive Committee, the President shall bring the information to the attention of the remaining members of the Executive Committee. If the Executive Committee is unable to address the complaint it may appoint another Committee to fulfill its duties under this article.
 - c. If the information received by the Registrar under this section 5.02 relates to the President, the Registrar shall bring the information to the Vice-President who shall follow the same steps set out in paragraph b.

- d. If the Executive Committee or any Committee appointed by the Executive Committee, after any investigation it deems appropriate, believes that the complaint may warrant formal action, it shall call a meeting of Council. Council shall determine whether there has been a breach of duties or whether the criteria for disqualification have been met and, if so, impose the appropriate sanction. The appropriate sanction can include one or more of the following:
1. censure of the Council or Committee Member verbally or in writing,
 2. removal of the Council or Committee Member from any Committee on which he or she serves,
 3. disqualification of a Professional Member from Council, or a report requesting removal of the Public Member concerned from the Council to the Public Appointments Secretariat.
- e. A decision finding that there has been a breach of duties or that a Council or Committee Member meets the criteria for disqualification set out in section 5.02, and a decision to impose a particular sanction must be approved by a simple majority affirmative vote of Council Members present and voting.
- f. The Council or Committee Member whose conduct is the subject of concern shall not take part in the deliberation or vote, however, he or she shall be given a reasonable opportunity to respond to the allegation.

5.03 Effect of Disqualification

A Professional Member who is disqualified by Council ceases to be a member of Council and ceases to be a member of any Committee of which he or she is a member.

6. VACANCIES

6.01 Death, Resignation or Disqualification

The seat of a Professional Member shall be deemed to be vacant upon the death, resignation or disqualification of the Council Member.

6.02 Vacancy

- (i) If the seat of a Professional Member becomes vacant in an electoral district no more than 12 months before the expiry of the Member's term of office, the Council may,
- a. leave a seat vacant; or
 - b. appoint as a Professional Member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council Members for that electoral district; or

- c. direct the Registrar to hold a by-election in accordance with these By-Laws for that electoral district.
- (ii) If the seat of a Professional Member becomes vacant in an electoral district more than 12 months before the expiry of the Member's term of office, the Registrar shall hold a by-election in accordance with these By-Laws for that electoral district.

6.03 Manner of Holding By-Election

A by-election shall be held in the same manner and shall be subject to the same criteria and processes as a regular election, subject to any necessary modifications.

6.04 Term of Office for Members Filling Vacancies

The term of a Professional Member appointed or elected to Council under these By-Laws shall continue until the time the former Professional Member's term would have expired.

7. PROCEDURES FOR THE ELECTION OF OFFICERS

7.01 Nomination Procedure

- (i) Before the first meeting of the newly elected Council, the Registrar shall send an invitation to all Council Members requesting any person wishing to stand for election to the offices of the President, Vice-President and Executive Committee Member to indicate so in writing to the Registrar.
- (ii) A Council Member's written intent must be supported by the signatures of two other Council Members and be returned to the Registrar no later than 5:00 p.m. seven days before the meeting of the Council when the election of officers shall take place.

7.02 Registrar to Conduct Election

The Registrar or his or her designate shall conduct the election of Officers at the first Council meeting of the newly elected Council. The Registrar or his or her designate shall, with the concurrence of the Council, appoint three returning officers to count the ballots and report the results to the Council.

7.03 Election of the President

- (i) At the meeting of the Council when the election of officers shall take place, the Registrar shall present the names of candidates who have indicated their interest for the position of President.
- (ii) Where there is only one candidate, the Registrar shall declare the candidate elected by acclamation.
- (iii) Where there is more than one candidate for the office, voting shall be conducted by secret ballot.

- (iv) If there are more than two candidates in an election, successive ballots shall be conducted until one candidate receives a majority of the votes cast. The candidate or candidates who receive the fewest votes in a ballot shall be dropped in the next ballot.
- (v) In the case of a tie, one returning officer will be directed to cast a deciding vote by lot.

7.04 Election of the Vice-President

Once the President is elected, the Vice-President shall be elected in a similar manner.

7.05 Term of Office

- (i) The term of office of the President and Vice-President commences immediately following their election and expires upon the election of the new President and Vice-President at the first regular meeting of the newly elected Council in the following year.
- (ii) In the event an officer resigns, dies, or otherwise ceases to act, the Council shall elect a new officer from among its members to hold office for the remainder of the year.

7.06 Election of Executive Committee Members

Once the Vice-President has been elected, the remaining Executive Committee positions shall be elected in a similar manner ensuring that there are an appropriate number of Professional Members and Public Members as set out in section 12.01 of the By-laws.

7.07 Transition Provisions

Notwithstanding the provisions set out above in this Article 7, the timing for the election of and the terms of office of officers and other members of the Executive Committee are as follows:

- (i) The term of office for members of Council who are elected as President, Vice-President and those who are elected as the remaining members of the Executive Committee in 2018 shall expire upon the election of the new President and Vice-President at the second regular meeting of the newly elected Council in 2019 (approximately March 2019).
- (ii) The term of office for members of Council who are elected as President, Vice-President and those who are elected as the remaining members of the Executive Committee in 2019 shall expire upon the election of the new President and Vice-President and remaining members of the Executive at the first regular meeting of the newly elected Council in 2019 (approximately December 2019).

8. DUTIES OF OFFICERS

8.01 President

- (i) The President, in conjunction with the Council, is ultimately responsible for fulfilling the mandate, objectives and strategic plans of the College. He or she is directly accountable to the Council and

indirectly accountable to the government, the public and the profession for the effective governance of the College in accordance with all applicable legislative requirements.

(ii) Specific duties of the President include:

- a. presiding as chair of all meetings of the Council, the Executive Committee and of Members, unless a non-voting chair has been appointed to facilitate the meeting;
- b. overseeing the operations and performance of the Council;
- c. working with the Registrar to ensure smooth, efficient conduct of all meetings and that decisions of the Council and Executive Committee are implemented;
- d. participating in cultivating, recruiting and orienting new Council Members, officers, Committee members and chairs, and volunteers;
- e. overseeing and ensuring that a process is in place to evaluate the performance and employment conditions of the Registrar;
- f. representing the College as the authorized spokesperson on Council policies and positions to promote the mandate and objectives of the College;
- g. signing contracts, documents or instruments in writing as required by the College;
- h. liaising with the Registrar on any issues relating to the interactions between members of the Council and College staff;
- i. is an ex officio member of all Committees; attendance at any Committee meetings will be at the discretion of the President; chairs of Committees shall file minutes and reports with the Registrar to keep the President informed; and
- j. other duties as assigned by the Council from time to time.

8.02 Vice-President

- (i) The Vice-President shall have all the powers and shall perform all the duties of the President in the event of the absence, or the inability of the President to act. The Vice-President is directly accountable to the Council and indirectly accountable to the government, the public and the profession for the effective governance of the College in accordance with all applicable legislative requirements.

(ii) Specific duties of the Vice-President include:

- a. serving on the Executive Committee;
- b. any duties delegated by the President unless not approved by the Council;
- c. acting as a signing officer on cheques and other documents as required by the Council; and

- d. other duties as assigned by the Council from time to time.

8.03 Delegation to Executive Committee

Pursuant to the RHPA, between the meetings of Council, the Executive has all the powers of the Council with respect to any matter that, in the Committee's opinion, requires immediate attention, other than the power to make, amend or revoke a regulation or bylaw in accordance with the Act.

9. COMMITTEES

9.01 Appointment of Members to Committees

- (i) Prior to the first meeting of the newly elected Council, the Registrar shall invite each Council Member to indicate their preferences for Committee appointment(s). A Council Member's written intent must be returned to the Registrar no later than 5:00 p.m. seven days before the meeting of the Council when election of officers shall take place.
- (ii) As soon as possible after election of the Executive Committee, it shall meet. It shall review the information provided to the Registrar by individual Council Members regarding their committee preferences. It shall also consider other relevant factors including past experience, conflicts of interest, workload and ensuring that Committees are representative of the Council and of the province. With the assistance of the Registrar, it shall then appoint members for all Committees. By no later than the next Council meeting, the chair of the Executive Committee shall then present the appointments to the Council. Following presentation of the appointments, Council may vary the appointments.

9.02 Appointment of Non-Council Members to Committees

- (i) The Council may appoint persons who are not Council Members to Committees unless these By-Laws indicate that only Council Members are part of the composition of the Committee.
- (ii) A non-Council member is eligible for appointment to a Committee of the College or, subject to section 9.03, is eligible for re-appointment to a Committee of the College if, on the date of the appointment or re-appointment:
 - a. the Member holds a General class of certificate of registration;
 - b. the Member is not the subject of any disciplinary or incapacity proceedings by a body that governs a profession, inside or outside of Ontario;
 - c. no findings of professional misconduct, incompetence or incapacity has been made against the Member in the preceding six years by a body that governs a profession, inside or outside of Ontario;
 - d. a period of six years has elapsed since the Member complied with all aspects of an order imposed by the Discipline or Fitness to Practice Committee or by a similar committee of a body that governs a profession, inside or outside of Ontario;

- e. the Member's certificate of registration has not been revoked or suspended in the six years preceding the date of the appointment;
 - f. the Member is not subject to any order, direction, or term, condition and limitation of the Discipline Committee, the Fitness to Practice Committee or the Quality Assurance Committee or by a similar committee of a body that governs a profession, inside or outside of Ontario;
 - g. the Member is not in default of payment of any fees to the College;
 - h. the Member is not nor has been at any time within the last two years, a director, owner, board member, officer or employee of any Professional Association;
 - i. the Member is not at present nor has been at any time within the last two years, a director, owner, board member or officer of an educational institution relating to Traditional Chinese Medicine;
 - j. the Member has not been disqualified pursuant to section 5.01 in the three years preceding the date of the appointment;
 - k. the Member has not resigned from the Council or a Committee in the preceding three years;
 - l. the Member does not have a conflict of interest to serve as a member of a Committee or has agreed to remove any such conflict of interest before accepting an appointment;
 - m. the Member is not a member of the Council or of a Committee of the College of any College regulated under the RHPA;
 - n. the Member has not been a member of the staff of the College at any time within the preceding one year; or
 - o. the Member has not initiated, joined, continued or materially contributed to a legal proceeding against the College or any Committee or representative of the College.
- (i) The Executive Committee, with the assistance of the Registrar, shall prepare for the Council a list of recommended Committee appointments that are to be filled by persons who are not Council Members. The list shall have the recommended names arranged in order of the Executive Committee's preference and include documentation of each person's qualifications relating to the work of the Committee concerned. Appointment shall be approved by a majority of votes cast by the Council.

9.03 Term of Office of Non-Council Members

- (i) The term of office of a non-Council member is approximately three years from the date of appointment or re-appointment to the Committee.
- (ii) No non-Council member may be a member of the same Committee of the College for more than six consecutive years.

- (iii) A Member who has served as a non-Council member for six consecutive years is not eligible for appointment as a non-Council member until at least one year has passed since the Member last served as a non-Council member.

9.04 Appointment of Committee Chairs

Each Committee other than the Executive Committee shall elect its own chair from among its members. The chair shall be a member of Council. The Council may remove the chair of a Committee and appoint a different chair to take his or her place, if Council considers it appropriate to do so.

9.05 Duties of Chair

The chair of a Committee must understand the purpose and procedures of the Committee to provide leadership to achieve its goals in a consistent, orderly and efficient manner. A Committee chair appointed to undertake a specific project must be knowledgeable of the subject matter of that project.

10. DUTIES OF COUNCIL AND COMMITTEE MEMBERS

10.01 Conflicts of Interest

- (i) All members of Council or its Committees have a duty to carry out their responsibilities to serve and protect the interest of the public. As such, they must not engage in any activities or in decision-making of any matters where they have a personal or financial interest, whether directly or indirectly.
- (ii) Council and Committee Members recognize that engaging in even an appearance of a conflict of interest can bring discredit to the College, would amount to a breach of the fiduciary obligation of the person to the College and can create liability for both the College and the person involved.
- (iii) A member of Council or its Committees shall be perceived to have a conflict of interest in a matter, if he or she holds a responsible position such as director, owner, board member or officer for, or is an employee of a Professional Association.
- (iv) A member of Council or its Committees would be perceived to have conflict of interest in a matter, if he or she holds a responsible position such as director, owner, board member or officer in or is an employee of another organization where his or her duties may be seen by a reasonable person as influencing his or her judgment in the matter under consideration of the Council or its Committees.
- (v) For the purposes of these By-Laws, the personal or financial interests, direct or indirect, of a parent, spouse, child or sibling of a member of Council or its Committees, or of a spouse of a parent, child or sibling of a member of Council or its Committees, are interpreted to be the interests of the member of Council or its Committees. Here, the term "spouse" includes a common-law spouse and a same sex partner of the person.
- (vi) Where a member of Council or its Committees believes that he or she may have a conflict of interest in any matter which is the subject of deliberation or action by the Council or its Committees, he or

she shall consult, as needed, with the President, the Registrar or legal counsel and, if there is any doubt about the matter, declare the potential conflict to the Council or the Committee and accept Council's or the Committee's direction as to whether there is an appearance of a conflict.

(vii) Where a member of Council or its Committees believes that he or she has a conflict of interest, including an appearance of a conflict of interest, in any matter which is the subject of deliberation or action by the Council or its Committees, he or she shall:

- a. prior to any consideration of the matter at the meeting, disclose the fact that he or she has a conflict of interest;
- b. not take part in the discussion of, or vote on, any question in respect of the matter;
- c. absent himself or herself from the portion of the meeting relating to the matter; and
- d. not attempt in any way to influence the voting or do anything that might be perceived as attempting to influence the decision of other members on the matter.

(viii) Any member of Council or a Committee who believes that another member of Council or a Committee has a conflict which has apparently not been declared, will, if possible, discuss the matter with the member. If the matter is not resolved to the satisfaction of the Member who perceives the conflict, she or he shall discuss it with the President. If the President believes it warrants further action he or she will:

- a. Cause an investigation of the alleged conflict to be had through the Executive Committee; Council will be informed.
- b. The Executive Committee's findings will be presented to Council for resolution.
- c. The decision of Council will be considered final.

(ix) Every declaration of conflict of interest shall be recorded in the minutes of the meeting.

(x) A member of Council or its Committees shall not use College property or information of any kind to advance his or her own interests, direct or indirect.

(xi) A member of Council or its Committees may not hold any other position, contract or appointment, with the College while serving as a member of Council or its Committees. There is a one-year waiting period before the individual may apply for a staff or consultant position with the College. This includes, but is not limited to positions as peer assessor, investigator, examiner or staff.

10.02 Confidentiality

(i) Members of the Council and Committees, staff and persons retained or appointed by the College are required to maintain confidentiality of information that comes before them in the course of discharging their duties until disclosure is authorized by the Council or as otherwise provided in Section 36(1) of the RHPA.

Section 36 (1) of the RHPA states, in part, as follows:

36. (1) Every person employed, retained or appointed for the purposes of the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act* and every member of a Council or committee of a College shall keep confidential all information that comes to his or her knowledge in the course of his or her duties and shall not communicate any information to any other person.

- (ii) Section 36(1) of the RHPA permits disclosure in a number of specific circumstances. Members of the Council and Committees, staff and persons retained or appointed by the College need to understand when those exceptions apply and seek advice if they are in doubt.
- (iii) Council and Committee Members, staff and persons retained or appointed by the College are required to sign, annually, the confidentiality agreement approved by Council.

10.03 Code of Conduct

- (i) Council and Committee Members shall comply with the Code of Conduct.
- (ii) The Code of Conduct attached as Schedule 1 is the Code of Conduct for the College. Schedule 1 forms part of these By-Laws.

10.04 Remuneration of Council and Committee Members

Council and Committee Members will be remunerated and receive reimbursement for expenses according to the College's financial policies.

11. COUNCIL AND COMMITTEE MEETINGS

11.01 Meetings of the Council

- (i) Meetings of the Council shall be held at the head office of the College or at any other place as may be determined by the Registrar or Council from time to time. The Registrar shall serve as secretary of the Council.
- (ii) The Council shall hold, in a calendar year, at least three regular meetings called by the President.
- (iii) The Council may, by resolution, determine to hold additional regular meetings and shall fix the date, time and place of any such meeting. Such additional meetings may also be called by the President, or on the written request of any nine members of the Council.

11.02 Meetings to be Public

Meetings of the Council are open to the public. However, the public may be excluded from any meeting or part of a meeting pursuant to section 7 of the Code.

11.03 Notice

- (i) Subject to any regulations made under the RHPA or the Code, reasonable notice of Council meetings shall be given to the Members of the College, to the Minister and to the public in a manner that Council may determine from time to time.
- (ii) Notice of Council meetings stating the date, time and place of the meeting shall be communicated to each Council Member not less than five days prior to the date of the meeting. The accidental omission to give notice or the non-receipt of any notice by any Council Member shall not invalidate any resolution passed or any proceedings taken at any Council meeting.

11.04 Special Meetings

A special meeting of Council may be called by the President or the majority of Council Members by submitting to the Registrar a written request for the meeting containing the matter or matters for decision at the meeting. Notice stating the date, time and place of the meeting and the general nature of the business to be transacted shall be given by the Registrar to each Council Member not less than five days prior to the date of the Special Meeting.

11.05 Business of Meetings

- (i) The Council may only consider or transact at a regular meeting:
 - a. all matters on the agenda;
 - b. matters brought by the Executive Committee or the Registrar;
 - c. recommendations and reports by Committees;
 - d. matters of which notice was given by a member of the Council at the preceding meeting or where written notice has been given 30 days in advance of the meeting;
 - e. such other matters, not included in the agenda, as the majority of Council Members in attendance determine to be of an urgent nature.
- (ii) At a special meeting, the Council may only consider or transact the specific matter or matters referred to in section 11.04.

11.06 Agenda

The President shall establish, or cause to be established, the agenda for each meeting of the Council.

11.07 Manner of Holding Meetings

Except for conducting a hearing, a Council meeting may be held in any manner that allows all Council Members to participate in discussion with each other simultaneously and instantaneously.

11.08 Chair

- (i) For the purpose of conducting meetings, the Council may appoint a non-voting chair who is not a member of the Council or of the College to preside at all meetings or at a meeting. The appointed chair shall function solely as an arbiter of procedures in accordance with procedures in these By-Laws and shall not participate in deliberations. Before assuming his or her duties, the appointed chair shall undertake to maintain confidentiality of all matters coming before the Council that are not part of an open meeting of the Council in accordance with the Act.
- (ii) In the absence of an appointed chair, the President, or his or her delegate, shall preside over meetings. The Vice-President shall preside where the President is absent. In the absence of both the President and the Vice-President, the Council Members present shall select from among themselves a Council Member to chair the meeting.

11.09 Quorum

Except where otherwise provided by the Act, a majority of Council Members constitutes a quorum for the transaction of business for any meeting of the Council.

11.10 Voting

- (i) Except where otherwise provided in the Act, regulations or By-Laws, every motion coming before any meeting shall be decided by a majority of votes cast at the meeting, including the chair, provided that the chair is a member of the Council. In the case of equality of votes, the chair shall not have a second vote and the motion shall be considered to be defeated.
- (ii) Every vote at a meeting shall be by a show of hands or as the chair (subject to a vote without debate by the Council) of the meeting shall otherwise determine. A roll call vote shall be taken if requested by a Council Member, unless the chair had determined voting by secret ballot. In the case of teleconference meetings, roll call votes shall be taken.
- (iii) In the event of a roll call vote, the Registrar shall request each Council Member in turn to record his or her vote and such vote shall be recorded in the minutes of the meeting relating to the motion or resolution under consideration.

11.11 Written Resolutions

A resolution signed by all members of the Council is as valid and effective as if passed at a meeting of the Council held for the purpose.

11.12 Deputations

- (i) The President may effect arrangements to allocate specific time during the meeting to receive and hear deputations on specific topics relevant to the affairs of the College requested by non-Members of the Council. No such deputation shall be permitted unless a written request has been provided to the Executive Committee not less than 10 business days before the Council meeting and the Executive Committee gives permission.

- (ii) Unless the chair otherwise determines, each deputation shall be allowed a maximum of two speakers and a maximum of ten minutes to make a presentation. The chair may grant additional time if he or she considers it appropriate.
- (iii) The chair may accept questions from members of the Council to seek clarification from the speaker. Neither the Council Member nor the speaker shall engage in debate or in direct or indirect discussion with each other or other persons present.

11.13 Adjournment

Whether or not a quorum is present, the presiding chair may from time to time, with the consent of the Council Members present, adjourn any properly called meeting to a fixed time and place, and provided that a quorum is present, any matter brought before the original meeting may be considered and transacted at a reconvened meeting.

11.14 Rules of Order

The rules of order attached as Schedule 2 are the rules of order for meetings of the Council. Schedule 2 forms part of these By-Laws.

11.15 Meetings of All Committees

- (i) Any Committee meeting held for a purpose other than conducting a hearing may be held in any manner that allows all persons to participate in discussion simultaneously and instantaneously. Hearings may be conducted in accordance with the provisions of the Act, and the *Statutory Powers Procedure Act* and any rules of procedure made under those Acts.
- (ii) Subject to the Act, and unless otherwise required by law, no formal notice is required for a meeting but staff shall make reasonable efforts to notify all Committee Members informally of every meeting.
- (iii) The Committee chair or his or her appointee for the purpose shall preside over meetings of the Committee.
- (iv) Every motion that comes before a Committee shall be decided by a majority of the votes cast at the meeting, including that of the presiding chair. If there is an equality of votes on a motion, the motion shall be deemed to have been lost.

11.16 Language of Meetings

Meetings of the Council and Committees shall be conducted in English.

12. COMMITTEES

Statutory Committee Composition

12.01 Executive Committee

- (i) The Executive Committee shall be composed of the President, the Vice- President and three (3) members of the Council.
- (ii) Two of the members of the Executive Committee shall be Public Members and three shall be Professional Members.

(iii) The President shall be the chair of the Executive Committee.

~~(iii)~~(iv) Council may appoint the immediate Past President of the College, who shall be an advisory ex-officio non-voting member of the Executive Committee.

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12.02 Registration Committee

- (i) The Registration Committee shall be composed of:
 - a. at least two (2) members of Council who are Professional Members;
 - b. at least one (1) Public Member; and
 - c. one (1) or more Members of the College who are not Members of Council if Council so wishes.

12.03 Inquiries, Complaints and Reports Committee

- (i) The Inquiries, Complaints and Reports Committee shall be composed of:
 - a. at least two (2) members of Council who are Professional Members;
 - b. at least one (1) Public Member; and
 - c. one (1) or more Members of the College who are not members of Council if Council so wishes.

12.04 Discipline Committee

The Discipline Committee shall be composed of every member of Council and one or more Members of the College who are not members of Council if Council so wishes.

12.05 Fitness to Practice Committee

The Fitness to Practice Committee shall be composed of every member of Council and one or more Members of the College who are not members of Council if Council so wishes.

12.06 Quality Assurance Committee

- (i) The Quality Assurance Committee shall be composed of:
 - a. at least two (2) members of Council who are Professional Members;

- b. at least two (2) Public Members; and
- c. one (1) or more Members of the College who are not members of Council if Council so wishes.

12.07 Patient Relations Committee

- (i) The Patient Relations Committee shall be composed of:
 - a. at least one (1) member of Council who is a Professional Member;
 - b. at least two (2) Public Members; and
 - c. one (1) or more Members of the College who are not members of Council if Council so wishes.

By-Law Committees

12.08 Other Committees

- (i) Council may, by resolution, appoint and fill such other Committees it determines are necessary for the effective operation of the College. Council shall set the composition and appoint the members of such Committees. Council shall set the mandate of each Committee it appoints.
- (ii) The duties and responsibilities of each Committee shall be those set out in these by-laws, the RHPA, the Code and the terms of reference for that Committee, as approved by Council, where applicable.

12.09 Nominations Committee

The Nominations Committee shall be composed of:

- (i) Two (2) members of Council who are Professional Members;
- (ii) Three (3) Public Members;

All Committees

12.10 Vacancies

Despite anything in these By-Laws, a committee is properly constituted despite any vacancy so long as there are sufficient members of the Committee to form a quorum of the Committee or a panel of the Committee.

12.11 Quorum

Unless otherwise provided in the Act, the quorum of any Committee is three members of the Committee.

12.12 Panels

A Committee may meet in panels selected by the chair of the Committee.

12.13 Removal of Committee Member

The Council may remove a member of a Committee pursuant to section 5.02.

13. REGISTER

13.01 Name and Business Address

- (i) Subject to section 13.01(ii), a Member's name in the Register shall be the full name indicated on the documents used to support the Member's initial registration with the College.
- (ii) The Registrar may enter a name other than the name referred to in section 13.01(i), in the Register if the Registrar
 - a. has received a written request from the Member;
 - b. is satisfied that the Member has legally changed his or her name; and
 - c. is satisfied that the name change is not for any improper purpose.
- (iii) The Registrar may enter in the Register as an alternative name used by a Member any nicknames or abbreviations that the Member uses in any place of practice.
- (iv) A Member's business address in the Register shall be the address of the location in Ontario where the Member is employed or self-employed as a practitioner of Traditional Chinese Medicine. In the event that the Member is employed or self-employed as a practitioner of Traditional Chinese Medicine in more than one location in Ontario, the Member's business address shall be the location where the Member generally works, or anticipates to work, the most hours. In the event that the Member is not employed or self-employed in Ontario as a practitioner of Traditional Chinese Medicine, the Registrar shall enter as the Member's business address the location designated by the Member or any other location for the Member known by the College.
- (v) A Member's business address shall include the name of the Member's employer or, if the Member is self-employed or is not practising, the Member's business address shall include a notation to that effect.
- (vi) A Member's business telephone number shall be the telephone number of the location in Ontario where the Member is employed or self-employed as a practitioner of Traditional Chinese Medicine. In the event that the Member is employed or self-employed as a practitioner of Traditional Chinese Medicine in more than one location in Ontario, the Member's business telephone number shall be the telephone number of the location where the Member generally works, or anticipates to work, the most hours. In the event that the Member is not employed or self-employed in Ontario as a practitioner of Traditional Chinese Medicine, the register shall not contain a business telephone number for the Member.

13.02 Register Information Required by the Code

The Registrar shall maintain a Register in accordance with section 23 of the Code.

13.03 Additional Register Information

- (i) In addition to the information set out in subsection 23(2) of the Code, the Register shall contain the following information with respect to each Member:
- a. if there have been any changes to the Member's name since the date of the Member's initial application for registration, the former names of the Member;
 - b. the name, address and telephone number of every employer for whom the Member is employed as a practitioner of Traditional Chinese Medicine and, if the Member is self-employed as a practitioner of Traditional Chinese Medicine, the address and telephone number of the locations where the Member practices other than addresses of individual clients;
 - c. the date on which each class of registration that the Member holds was obtained and, if applicable, the date on which each was suspended or terminated;
 - d. the Member's electoral district for elections to the Council;
 - e. language(s) spoken by the Member;
 - f. if the Member ceased to be a Member, a notation specifying the reason for the termination of membership and the date upon which the Member ceased to be a member;
 - g. all changes in status of a certificate of registration or certificate of authorization and the effective date of the change;
 - h. where, on or after June 1, 2016, a panel of the Inquiries, Complaints and Reports Committee requires the Member to appear before a panel of the Inquiries, Complaints and Reports Committee to be cautioned:
 1. a notation of the fact, including a summary of the caution;
 2. the date of the panel's decision; and
 3. where the decision of the panel is appealed, a notation of that fact, until the appeal is finally disposed of.
 - i. where, on or after June 1, 2016, a panel of the Inquiries, Complaints and Reports Committee requires the Member to complete a specified continuing education or remediation program (SCERP):
 1. a notation of the fact, including a summary of the SCERP;
 2. the date of the panel's decision; and
 3. where the decision of the panel is appealed, a notation of that fact, until the appeal is finally disposed of.

- j. for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved, until the matter has been resolved,
1. a notation of that fact, including the date of the referral,
 2. a summary of each specified allegation,
 3. the notice of hearing;
 4. the anticipated date of the hearing if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing was adjourned to a specific date or if the hearing was adjourned without a specific date, a notation to that effect;
 5. if the hearing is awaiting scheduling, a statement to that fact; and
 6. if the hearing of evidence and arguments is completed and the parties are awaiting a decision of the Discipline Committee, a statement of that fact.
- k. a notation, including the date of the referral, for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Fitness to Practise Committee under section 61 of the Code and has not been finally resolved, until the matter has been resolved;
- l. any information jointly agreed to be placed on the Register by the College and the Member;
- m. where the Member's certificate of registration is subject to any term, conditions and limitations, the reason for them and the date they took effect;
- n. where the Member's certificate of registration is subject to an interim order, a notation of that fact, the nature of the order and the date that the order took effect;
- o. where the Member's certificate of registration is subject to a suspension for failure to pay a fee, the reason for the suspension and the date of the suspension in addition to the fact of the suspension;
- p. where the College is aware that the Member is currently registered or licensed to practise a profession inside or outside of Ontario, a notation of that fact;
- q. where the College is aware that a pending allegation of professional misconduct or incompetence or a similar allegation has been referred to a discipline type of hearing against the Member registered or licensed to practise a profession inside or outside of Ontario,
1. a notation of that fact;
 2. the date of the referral if available;

- 3. a brief summary of each allegation if available; and
 - 4. the notice of hearing if available.
- r. where the College is aware that a finding of professional misconduct or incompetence or similar finding has been made against the Member by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal,
 - 1. a notation of the finding,
 - 2. the name of the governing body that made the finding,
 - 3. a brief summary of the facts on which the finding was based,
 - 4. the penalty and any other orders made relative to the finding,
 - 5. the date the finding was made, and
 - 6. information regarding any appeals of the finding;
- s. where the College is aware that a finding of incapacity or similar finding has been made against the Member by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal, a notation of the finding,
 - 1. the name of the governing body that made the finding,
 - 2. the date the finding was made,
 - 3. a summary of any order made, and
 - 4. information regarding any appeals of the finding;
- t. where a decision of the Discipline Committee has been published by the College with the Member's name or former name including,
 - 1. a notation of that fact, and
 - 2. identification of the specific publication of the College which contains the information;
- u. a summary of any current charges against the Member, of which the College is aware, in respect of a federal, provincial or other offence that the Registrar believes is relevant to the Member's suitability to practise;
- v. a summary of any findings of guilt, of which the College is aware, made by a court after June 1, 2016, against the Member in respect of a provincial, federal or other offence that the Registrar believes is relevant to the Member's suitability to practise;
- w. a summary of any currently existing conditions, terms, orders, directions or agreements, of which the College is aware, relating to the custody or release of the Member in respect of a provincial, federal or other offence that the Registrar believes is relevant to the Member's suitability to practise;

- x. for every application to the Discipline Committee or Fitness to Practise Committee for reinstatement that has not been finally resolved, until that matter has been resolved,
1. a notation of that fact, including the date of the application;
 2. the anticipated date of the hearing, if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced; and
 3. if the hearing has been adjourned and no future date has been set, the fact of that adjournment, and if the decision is under reserve, that fact;
- y. if an application to the Discipline Committee or Fitness to Practise Committee for reinstatement has been decided, the decision of the Committee;
- z. where the Member's certificate of registration is reinstated, the effective date of the reinstatement and the name of the Committee responsible for the reinstatement;
- aa. where, during or as a result of a proceeding under section 25 of the Code a Member has resigned, a notation of that fact including the nature of the investigation;
- bb. where applicable, a summary of any restriction on the Member's right to practise resulting from an undertaking given by the Member to the College or an agreement entered into between the Member and the College;
- cc. in addition to the name of every health profession corporation of which the Member is a shareholder, the business address, business telephone number, and any operating names of the health profession corporation;
- dd. any of the information in respect of a former Member that was on the Register just before the membership terminated, for a period of fifty years after the termination of membership;
- ee. where, after June 1, 2016, the Registrar confirms whether the College is investigating a Member because there is a compelling public interest in disclosing this information pursuant to 36(1)(g) of the RHPA, the fact that the Member is under investigation; and
- ff. a notation of the Member's registration, membership or licensure with any other regulatory body inside or outside of Ontario, if known by the College.
- (ii) All of the information referred to in section 23 of the Code or as information recorded in the Register in these By-Laws is information designated to be withheld from the public pursuant to subsection 23(6) of the Code such that the Registrar may refuse to disclose to an individual or post on the College's website any or all of that information if the Registrar has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.
- (iii) Notwithstanding paragraphs i and j of section 13.03(i) where, after a review, the Inquiries, Complaints and Reports Committee has been required to remove or vary the appearance for a caution or a SCERP, the notation may be removed once the Committee makes its new decision.

Where the original requirement to appear for a caution or to complete a SCERP has been varied, the Registrar may enter a summary of the process leading up to and the results of the variation.

- (iv) If, upon application of the Member, and in the opinion of the Registrar, the information required by paragraph w of section 13.03(i) is no longer relevant to the Member's suitability to practise, the information may be removed from the Register.

13.04 Providing Information to the College

- (i) If requested, the Member shall immediately provide the College with the following information, in the form requested by the College:
- a. information required to be maintained in the Register in accordance with subsection 23(2) of the Code and these By-Laws;
 - b. the address and telephone number of the Member's primary residence in Ontario and, if the Member does not reside in Ontario, the address and telephone number of the Member's primary residence;
 - c. the Member's e-mail addresses;
 - d. proof of professional liability insurance;
 - e. the Member's areas of practice and categories of clients seen;
 - f. information regarding the Member's employment including:
 - 1. the Member's title and position,
 - 2. a description of the Member's role, duties, and responsibilities;
 - g. information about the Member's registration with any other body that governs a profession, whether inside or outside of Ontario, including the name of the governing body, the Member's registration or licence number and the date the Member first became registered;
 - h. information about any finding of professional misconduct or incompetence or similar finding that has been made against the Member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
 - 1. the finding,
 - 2. the name of the governing body that made the finding,
 - 3. a brief summary of the facts on which the finding was based,
 - 4. the penalty and any other orders made relative to the finding,
 - 5. the date the finding was made, and
 - 6. information regarding any appeals of the finding;

- i. information about any finding of incapacity or similar finding that has been made against the Member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
 - 1. the finding,
 - 2. the name of the governing body that made the finding,
 - 3. the date the finding was made,
 - 4. a summary of any order made, and
 - 5. information regarding any appeals of the finding;
 - j. information about the Member's participation in the Quality Assurance program; and
 - k. information for the purpose of compiling statistical data.
- (ii) The Member shall notify the College, in writing, of any changes to the following information within 30 days of the effective date of the change:
- a. the Member's name,
 - b. the address and telephone number of the Member's primary residence in Ontario and, if the Member does not reside in Ontario, the address and telephone number of the Member's primary residence,
 - c. the Member's business address or business telephone number,
 - d. the name, address or telephone number of any employer for whom the Member is employed as a practitioner of Traditional Chinese Medicine, and, if the Member is self-employed as a practitioner of Traditional Chinese Medicine, any changes to the address or telephone number of the location where the Member practices other than addresses of individual clients,
 - e. the Member's email address;
 - f. where an allegation of professional misconduct or incompetence or a similar allegation has been referred to a discipline type of hearing against the Member registered or licensed to practise a profession inside or outside of Ontario,
 - g. any current charges against the Member, in respect of a federal, provincial or other offence;
 - h. any findings of guilt, made by a court after June 1, 2016, against the Member in respect of a provincial, federal or other offence;
 - i. any currently existing conditions, terms, orders, directions or agreements, relating to the custody or release of the Member in respect of a provincial, federal or other offence; and

- j. any amendment, change, termination or alteration to a supervision agreement between a Member in the Student Class and his or her supervisor.

14. REGISTRAR

14.01 Council Appoints

The Council shall appoint an employee of the College as its Registrar under subsection 9(2) of the Code.

14.02 Deputy Registrar

The Council may appoint a Deputy Registrar to exercise the powers and to perform the duties, powers and functions of the Registrar when the Registrar is absent or unable to act or when there is a vacancy in the office of the Registrar.

14.03 Chief Executive Officer

The Registrar is the Chief Executive Officer of the College.

14.04 Registrar Duties

The Registrar shall perform those duties and responsibilities set out in the RHPA, the Act, the regulations and the By-Laws of the College as well as duties and responsibilities as shall be assigned by Council. The Registrar reports to the Council in:

1. providing support to the Council and its committees in developing and implementing regulations, by-laws and policies and ensuring compliance with statutory obligations;
2. assisting the Council in its strategic planning process;
3. establishing and maintaining administrative, human resource, and financial operations of the office, in collaboration with the Council or Executive Committee, to ensure effective management within approved policies and budgets;
4. acting as the custodian of the seal of the College and of all books, papers, records, correspondence, contracts and other documents belonging to the College;
5. signing contracts, documents, and other instruments in writing as assigned by the Council or as are incidental to the office of the Registrar;
6. recruiting and supervising staff, consultants and contractors;
7. promoting and maintaining good relations and communications with practitioners, other regulatory bodies and stakeholders, government (including the Minister of Health and Long-Term Care) and the public; and

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8. working in collaboration with the President, represents the College to relevant organizations to promote and build external relations and to further the objectives of the College.

15. MEDIA COMMUNICATIONS

15.01 Media Communications and Speaking Engagements

- (i) All media contacts and requests for speaking engagements shall be channeled and coordinated through the Registrar's office. Any member of Council or Committee being asked by media representatives to provide interviews or to respond to inquiries or to comment on issues concerning the regulation of traditional Chinese medicine or the operation of the College should refer them to the Registrar's office.
- (ii) The President, or in the absence of the President, the Vice- President, and the Registrar are authorized spokespersons of the College. They may request a member of Council or staff to perform this function, if necessary, under the circumstances.
- (iii) Unless authorized by the President, or in the absence of the President, the Vice- President, and the Registrar, a member of Council or Committee shall not communicate with the media or the public to provide interviews or respond to inquiries or comment on issues concerning the regulation of traditional Chinese medicine or the operation of the College.
- (iv) All messages to the media and to the public must be consistent with the approved policies and positions of the College.

16. REGISTRATION

16.01 Notice

At least 45 days before the annual renewal and annual fees are due, the Registrar shall send to each Member, a notice stating that the annual renewal and fees are due, setting out the amount of the annual fee for each category of registration, and a request for information required under the regulations and the By-Laws of the College. The obligation to remit the annual renewal and pay the annual fee continues even if the Registrar fails to provide the notice or the Member fails to receive such notice.

16.02 Registration Year

The registration year for Members shall be from April 1st to March 31st of the following year.

16.03 Renewal Due Date

The annual renewal of a certificate of registration and payment of annual fees are due on or before March 31st of each year.

17. FEES

17.01 Fee Schedule

Schedule 4, as the same may be amended from time to time, sets out the applicable fees and penalties that a Member, Professional Corporation or person shall pay to the College. Where no fee has been set out in Schedule 4, a Member or person shall pay to the College the fee set by the Registrar for anything that the Registrar is required or authorized to do. Schedule 4 forms part of these By-Laws.

17.02 Annual Increase

Effective April 1st, 2018 and each April 1st thereafter, each fee described in Schedule 4 may be increased, by Council resolution, by two percent (2%) and rounded up to the nearest dollar.

17.03 Payment of Fees

- (i) Any fee or penalty charged or imposed by the College not paid by a Member shall be included as part of a Member's next annual membership fee.
- (ii) If a Member fails to pay a fee or penalty or part thereof: (a) the Registrar must give the Member notice if the College intends to suspend the Member; and (b) may suspend the Member's certificate of registration for failure to pay the fee or penalty within 30 days after notice is given.
- (iii) Requests for a waiver of any fee must be submitted in writing by regular mail, fax or email to the Registrar.

17.04 Application Fee

- (i) A person, who submits an application for an initial certificate of registration, or a Member who submits an application to change the class of a certificate of registration, or an application to reinstate a previously held certificate after suspension from the College or for a reinstatement hearing, shall pay a non-refundable application fee.
- (ii) A Member shall be exempted from paying an application fee if a Member submits an application to change the class of a certificate of registration at the time the Member submits an annual registration renewal.

17.05 Initial Registration Fee

After an applicant is notified by the College that the application for a certificate of registration has been approved, an initial registration fee (according to the quarter of the year falling between the date the certificate of registration is issued and March 31st in the same registration year) is payable before the issuance of the initial certificate of registration or the reinstatement of a certificate of registration.

17.06 Annual Fee

- (i) Every Member shall pay an annual fee for each certificate of registration in each registration year.
- (ii) When a former Member is reinstated via the Discipline or Fitness to Practise Committee, they shall be subject to the initial registration fee regime as set out in article 17.05. Other than specified circumstances outlined in the By-Laws there shall normally be no proration or refund of annual fees. A portion of all or any prescribed fee may be waived only at the discretion of the Registrar. A Member who resigns or who is revoked from the College shall not be entitled to a refund of the annual fee in whole or in part.

17.07 Change of Class and Proration of Fee

When a Member transfers from one class to another, the fess shall be the difference between the two fees. If the transfer results in fees owing to the Member, the College shall refund the pro-rated fee to the Member.

17.08 Late Fee

- (i) A Member shall pay a penalty if the Member fails to pay the annual fee, and/or fails to send a fully completed Annual Registration Renewal Application form, on or before the day on which the fee and annual renewal form are due.
- (ii) When the incomplete Annual Registration Renewal Application form has been returned and it is not remedied by March 31st, the late fee is also payable.
- (iii) When a declined credit card is not remedied by March 31st, then in addition to the fees for the declined credit card, the late fee is also payable.

17.09 Reinstatement and Fees

- (i) A reinstatement fee shall be paid, in addition to all fees and penalties, in order to reinstate a certificate of any class that has been administratively suspended by the Registrar.
- (ii) A reinstatement fee shall be paid by an applicant requesting a reinstatement hearing to consider the reinstatement of their certificate of registration

17.10 Other Fees

- (i) Members and applicants are subject to other fees. Council will make all efforts to identify the other fees in Schedule 4 subject to Article 17.01.

18. PROFESSIONAL CORPORATIONS

18.01 Fees

- (i) An application fee shall be paid for a certificate of authorization for a professional corporation.
- (ii) A registration fee shall be paid for issuing or reinstating a certificate of authorization for a professional corporation.
- (iii) The annual renewal and annual fee for a certificate of authorization for a professional corporation shall be provided and paid on or before March 31 each year.
- (iv) A professional corporation or a Member listed in the College's records as a shareholder of a professional corporation shall pay an administrative fee for each notice sent by the Registrar to the professional corporation or Member for failure of the professional corporation to renew its certificate of authorization on time. The fee is due within thirty days of the notice being sent.

18.02 Duty to Provide Information

- (i) Every Member of the College shall, for every professional corporation of which the Member is a shareholder, provide in writing the following information on the application and annual renewal forms for a certificate of authorization, upon the written request of the Registrar within 30 days and upon any change in the information within 30 days of the change:
 - a. the name of the professional corporation as registered with the Ministry of Government Services;
 - b. any business names used by the professional corporation;
 - c. the name, as set out in the register, and registration number of each shareholder of the professional corporation;
 - d. the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director;
 - e. the principal practice address, telephone number, facsimile number and email address of the professional corporation;
 - f. the address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided; and
 - g. a brief description of the professional activities carried out by the professional corporation.

19. SEXUAL ABUSE FUNDING

- (i) The Patient Relations Committee may require therapists and counsellors who are providing therapy or counselling funded through the program and persons who are receiving such therapy or counselling to provide a written statement, signed in each case by the therapist or counsellor and by the person which statement shall contain:
 - a. details of the therapist or counsellor's training and experience;

- b. confirmation that the therapy or counselling is being provided to the client; and
- c. confirmation that the funds received will be devoted only to therapy or counselling that is related in whole or in part to the sexual abuse by the Member.

20. PROFESSIONAL LIABILITY INSURANCE

20.01 Professional Liability Insurance Requirement

A practising Member in the General, Temporary or Student class must carry professional liability insurance with the following characteristics:

- a. minimum of no less than \$1,000,000 per claim;
- b. aggregate coverage of no less than \$5,000,000;
- c. a deductible of no more than \$1,000 per claim; and
- d. insurance is provided by an insurer licensed with the Financial Services Commission of Ontario.

20.02 Proof of Professional Liability Insurance

A practising Member must upon request provide to the College proof of professional liability insurance in the form of a Certificate of Insurance issued by the insurer acceptable to the Registrar (or such other form that is acceptable to the Registrar) which must include the following information:

- a. policy number;
- b. name of the insured that matches the name of the Member;
- c. address of the insured;
- d. policy period;
- e. coverage details; and
- f. retroactive date (i.e., the date from which similar coverage was in place before the current policy period started).

20.03 Professional Liability Insurance Eligibility

An applicant for registration must provide a declaration that he or she is eligible for professional liability insurance coverage and that he or she will submit proof of professional liability insurance coverage in the form of a Certificate of Insurance issued by the insurer acceptable to the Registrar (or such other form that is acceptable to the Registrar) no less than 30 days after his or her registration is approved. The Registrar shall not issue the certificate of registration until actual proof of coverage is received.

21. INDEMNIFICATION

21.01 Indemnification

- (i) Every member of the Council or a Committee, employee, appointee or other duly designated representative of the College and each of their heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the College from and against,
 - a. all costs, charges and expenses whatsoever that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, matter or thing whatsoever, made done or permitted by him or her, in or about the execution of the duties of his or her office, and
 - b. all other reasonable costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs thereof; except such costs, charges or expenses as are occasioned by his or her own willful neglect or default.
 - c. except such costs, charges or expenses as are occasioned by his or her own willful neglect or default. Where the person is a commercial service provider (e.g., a private investigator hired to conduct an investigation), the College has discretion as to whether or not to provide indemnity.

22. MEMBERSHIP OF THE COLLEGE IN OTHER ORGANIZATIONS

The College may maintain memberships in any organizations that are of benefit to the College, and shall pay annual fees and other fees required for the memberships.

23. BY-LAWS AND AMENDMENTS

23.01 Make, Amend, Revoke By-Law

The College's By-Laws may be made, amended or revoked in the same manner as other resolutions or motions that appear before Council. A motion to amend or revoke these By-Laws requires a vote of the majority of those in attendance and voting at the meeting.

23.02 Notice

Advance notice is required for all motions or resolutions applying to the making, amending or revoking of a bylaw.

23.03 Circulation

Where obligated by the Code, proposed By-Laws shall be circulated to every Member at least 60 days before Council approves them.

23.04 Amendments

Every by-law and every amendment and revocation of it shall be dated and numbered according to the date on which it was passed, certified by the President or Vice- President and by the Registrar, sealed and maintained in a book in its chronological order.

23.05 Record of By-Laws

The Registrar shall maintain a consolidated by-law that contains the results of every by-law and amendment made.

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SCHEDULE 1 TO THE BY-LAWS

Code of Conduct for Members of the Council and All Committees

1. This Schedule applies to members of the Council and of all committees of the College.
2. Council and Committee Members must, at all times, maintain high standards of integrity, honesty and loyalty when discharging their College duties. They must act in the best interest of the College. They shall:
 - a. be familiar and comply with the provisions of the RHPA, its regulations and the Code, the Act, its regulations, and the By-Laws and policies of the College;
 - b. promote the public interest in his/her contributions and in all discussions and decision-making;
 - c. direct all activities toward fulfilling the College's objects as specified in legislation;
 - d. diligently take part in committee work and actively serve on committees as appointed by the Council;
 - e. regularly attend meetings on time and participate constructively in discussions;
 - f. offer opinions and express views on matters before the College, Council and committee, when appropriate;
 - g. participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of members on Council and committees;
 - h. uphold the decisions made by a majority of Council and committees, regardless of the level of prior individual disagreement;
 - i. place the interests of the College, Council and committee above all other interests;
 - j. avoid and, where that is not possible, declare any appearance of or actual conflicts of interest;
 - k. refrain from including or referencing Council or committee positions held at the College in any personal or business promotional materials, advertisements and business cards.
 - l. preserve confidentiality of all information before Council or committee unless disclosure has been authorized by Council or otherwise exempted under s. 36(1) of the RHPA;
 - m. refrain from communicating to Members, including other Council or Committee Members, on statutory committees regarding registration, complaints, reports, investigations, disciplinary or fitness to practice proceedings which could be perceived as an attempt to influence a statutory decision or a breach of confidentiality, unless he or she is a member of the panel or, where there is no panel, of the statutory committee dealing with the matter;
 - n. respect the boundaries of staff whose role is not to report to or work for individual Council or Committee Members;

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- o. be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment; and
 - p. regularly evaluate his or her individual performance, and that of the collective to assure continuous improvement.

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SCHEDULE 2 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, he or she shall so indicate by raising his or her hand and shall address the presiding officer and confine himself or herself 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 of Council 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 chair.
7. No Member may speak longer than five minutes upon any motion except 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 in a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate of 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 he or she 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 session except by a two-thirds vote of the Council 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, he or she shall rule the motion out of order and give his or her reasons for doing so.

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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 chair 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 the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.
 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 teleconference.

SCHEDULE 3 TO THE BY-LAWS - Code of Ethics for Registered Members

Code of Ethics for Registered Members

All registered members of the College shall strive to attain the ideals identified in the College's Code of Ethics. The College's Code of Ethics for registered members is as follows:

1. General Responsibility

- Practise within the scope of TCM practice and abide by the laws of the jurisdiction;
- Maintain high competence (i.e., skills, knowledge and judgment) at all times;
- Practise professionally, honestly and with integrity;
- Respect the authority of the College and uphold the principles of self-regulation;
- Place the health and care of patients above personal gain.

2. Responsibility to Patients

- Recognize that the primary duty of a practitioner is the health and well-being of their patients;
- Respect a patient's value, needs, dignity and choices;
- Provide care to patients regardless of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability;
- Listen and explain to patients the available treatment options, and their goal, risks, effectiveness and cost. Provide the best treatment plan to the patient after the patient understands his or her options;
- Provide timely and quality care that is consistent with the standards of the profession;
- Provide the best care to patients, recognizing one's own limitations and referring patients to other practitioners, or other health care providers when the level of care needed is beyond one's competence;
- Being honest and fair when charging fees for services and any products or prescriptions;
- Protect patients from unsafe, incompetent and unethical care;
- Respect the physical, emotional or financial integrity of patients;
- Protect the privacy and confidentiality of the health information of patients.

3. Responsibility to Oneself and the Profession

- Acknowledge the limitation of one's knowledge, skills and judgment;
- State one's qualification and experience honestly and fairly;
- Continually upgrade one's knowledge, skills and judgment to improve one's services to patients;
- Respect other health professionals and members of the TCM profession;
- Refrain from passing judgment on the services of another health professional or another member of the TCM profession, except when required in the interest of the patient and after obtaining appropriate information;
- Collaborate with other members of the TCM profession and with other health professionals in the interest of the patient and the public;

- Be transparent and timely in providing information to patients, or a third party when requested or authorized by the patient or by law;
- Contribute to the ongoing development of TCM practices and pass on one's knowledge and skills to others;
- Uphold the honour and dignity of the TCM profession.

4. Responsibility to the Public

- Contribute to improving the standards of health care in general;
- Contribute in matters of public health, health education, environmental protection and legislation issues that affect the quality of care to the public;
- Offer help in emergency situations, if appropriate;
- Promote and enhance inter-professional collaboration;
- Represent the profession well.

SCHEDULE 4 TO THE BY-LAWS

Item	Fee
Fees Relating to Applications for Initial Registration for General Class	
Application Fee	\$250.00
Registration Fee (first year of registration pro-rated by quarter in which registered)	
<i>April 1 - June 30</i>	\$1,300.00
<i>July 1 - September 30</i>	\$975.00
<i>October 1 - December 31</i>	\$650.00
<i>January 1 - March 31</i>	\$325.00
Fees Relating to Renewal of a Certificate of Registration for General Class	
Annual Renewal	\$1,300.00
Late Payment Fee	\$200.00
Reinstatement Fee	\$250.00
Fees Relating to Certificate of Registration for Inactive Class	
Annual Renewal	\$300.00
Late Payment Fee	\$50.00
Reinstatement Fee	\$250.00
Fees Relating to Student Class	
Application Fee	\$50.00
Registration Fee (first year of registration pro-rated by quarter in which registered)	
<i>April 1 - June 30</i>	\$200.00
<i>July 1 - September 30</i>	\$150.00
<i>October 1 - December 31</i>	\$100.00
<i>January 1 - March 31</i>	\$50.00
Annual Renewal for Certificate of Registration for Student Class	\$200.00
Late Payment Fee	\$50.00
Reinstatement Fee	\$50.00
Fees Relating to Temporary Class	
Application Fee	\$125.00
Registration Fee	\$650.00
Fees Relating to Emergency Class	
Application Fee	\$250.00

Registration Fee (first year of registration pro-rated by quarter in which registered)	
<i>April 1 - June 30</i>	\$1,300.00
<i>July 1 – September 30</i>	\$975.00
<i>October 1 - December 31</i>	\$650.00
<i>January 1 - March 31</i>	\$325.00
Annual Renewal	\$1300.00
Late Payment Fee	\$200.00
Reinstatement Fee	\$250.00

Fees Relating to Professional Corporations and Certificates of Authorization	
Application Fee	\$50.00
Registration Fee (first year of registration pro-rated by quarter in which registered)	
<i>April 1 - June 30</i>	\$200.00
<i>July 1 – September 30</i>	\$150.00
<i>October 1 - December 31</i>	\$100.00
<i>January 1 - March 31</i>	\$50.00
Annual Renewal for Certificate of Authorization	\$200.00
Late Payment Fee	\$50.00
Fees Relating to Examinations	
Application Fee	\$300.00
<i>TCM Practitioner</i>	
Written Examination	\$550.00
Clinical Case Study Examination	\$550.00
<i>Acupuncturist</i>	
Written Examination	\$450.00
Clinical Case Study Examination	\$350.00
<i>Request for Rescore</i>	
Written Examination	\$50.00
Clinical Case Study Examination	\$350.00
Other Fees	
Application to Change Class [General to Inactive, Inactive to General (less than 2 years of initial entry to Inactive Class)]	\$50.00
Application to Change Class (Inactive to General more than 2 years since entry to Inactive Class)	\$200.00
Committee Ordered Assessment Fee*	\$600.00
Election Recount Fee	\$150.00
Safety Program	\$100.00
Jurisprudence Program	\$100.00
Letter of Good Standing	\$75.00
Duplicate Certificate/Name Change	\$50.00
Request for Duplicate Records	\$50.00
Service Charge for declined payments	\$50.00

*For an assessment or re-assessment ordered by a Statutory Committee or a panel thereof



Meeting Date:	December 5, 2024
Issue:	Succession Plan Policy
Reported By:	Sean Cassman
Action:	Decision

Issue

The Executive Committee has identified the need to address succession planning and enable the College to be prepared for turnover in key leadership positions.

Public Interest Rationale

The Registrar plays a vital role in the public interest mandate of the College, which includes fulfilling statutory functions, overseeing staff, and providing advice to Council, all through a public interest lens. Ensuring this role is being fulfilled at all times is critical for the College.

Background

College staff have drafted a Succession Plan Policy which covers three main aspects of ensuring the Registrar's duties remain fulfilled:

- Appointing a Deputy Registrar
- Appointing an Acting Registrar when necessary
- Appointing a new Registrar in the event of a vacancy

In addition, the policy includes three guiding principles for Council to consider, which are intended to help with successful transitions when there is vacancy in the Registrar position.

This policy suggests that Council always maintain procedures for a Registrar search. This would provide a resource for Council in the event of an unexpected need to conduct a search. If approved, staff will draft these procedures based on the most recent Registrar search process, which can then be attached as an appendix.

Next Steps

- Committee to discuss policy contents.
- Request changes or approve policy to be implemented.



COUNCIL

Meeting Date:	December 5, 2024
Issue:	Policy for Registration in the Inactive Class
Reported By:	Jennifer Nghiem
Action:	For Discussion and Decision

Issue

The Registration Committee of the College approved several changes to the Policy for Registration in the Inactive Class.

The policy amendments were posted online for public consultation on October 18, 2024, and was circulated for 30 days.

Public Interest Rationale

Members wishing to return to practice must demonstrate the knowledge, skill, judgment, and attitude expected of a Traditional Chinese Medicine Practitioner or Acupuncturist. An effective policy will help the Registration Committee ensure that members returning meeting the appropriate refresher guidelines to work in a safe, effective, and practical manner.

Background

The Registration Committee discussed the need for a guideline to assist panels in determining appropriate refresher requirements for members who have been in the Inactive class of registration for more than two years, and who are now applying to transfer to the General class.

The proposed changes included the following:

- Having a matrix to help determine the refresher requirements.
- Updating the language of Section 4.b to address a potential loophole concerning members who are returning to the General class after less than two years in the Inactive class.

At the previous Council meeting, Council approved the amended policy, which was circulated for feedback.

Feedback

The College received 21 complete responses to the survey, which included detailed feedback from respondents. Staff are not recommending further changes at this time; however some comments may warrant further discussion at the Registration Committee in the future. For example:

- One respondent posed “I would like to see consideration of the years of practice prior to going inactive. A new practitioner who has one year of practice (500 patient visits) will require far more 'refresher' after being inactive for <2 years than a practitioner who has been practicing for 15-20 years. I think the refresher hours are excessive for seasoned practitioners.”
- Two respondents were unsure of the timeframes being referenced in the policy. The College may want to consider clarifying this going forward.



COUNCIL

- Two respondents asked about Inactive members who practiced out of province. Again, further clarification may be needed.

Next Steps

With the required consultation period complete, Council can provide final approval of the policy amendments.

Encl.: Inactive Class Registration Policy (Clean Copy)
Current Inactive Class Registration Policy 01-22-2020
Survey Results



NAME	Policy for a Certificate in the Inactive Class of Registration		
TYPE	Registration		
STATUS	Final	VERSION	6
DATE APPROVED	April 7, 2014	DATE REVISED	March 9, 2023

BACKGROUND

Pursuant to [Ontario Regulation 27/13, Registration](#) (the “Registration Regulation”), made under the [Traditional Chinese Medicine Act, 2006](#), members in the General class may apply to the Inactive class of membership. The purpose of the certificate in the Inactive class of registration is to allow General class members to remain as members of the College when they anticipate that they will not be practising in Ontario for a period of time (for example, when on parental, sick or educational leave or practising in other jurisdictions).

If a member is granted a certificate in the Inactive class of registration, the following terms, conditions and limitations attach to the certificate of registration:

The member shall not:

1. Engage in the practice of traditional Chinese medicine in the province of Ontario.
2. Supervise the practice of the profession in the province of Ontario.
3. Make any claim or representation to having any competence in the profession in the province of Ontario.

The purpose of this policy is to outline the application process for the certificate in the Inactive class of registration, describe the terms, conditions and limitations imposed on members of the Inactive class and describe how a member reinstates to the General class.

POLICY

1. Application Process

A member in the General Class, wishing to apply for a certificate in the Inactive class of registration, must complete the designated application form and meet the following requirements according to section 15(1) of the [Registration Regulation](#):

1. The applicant for Inactive class must be a member holding General class certificate of registration.
2. The applicant for Inactive class must not be in default of any fee, penalty or other amount owing to the College.
3. The applicant for Inactive class must sign an undertaking with the College where the applicant undertakes not to practise the profession in Ontario while holding a certificate in the Inactive class of registration.



4. The applicant for Inactive class must have provided the College with any information that it has required of the applicant.
5. The applicant for Inactive class must not have held a certificate in the Inactive class of registration within the five-year period immediately before the date on which he/she submitted the application unless the Registrar is of the opinion that the exceptional circumstances justify exempting the applicant from this requirement.

2. Fees

- a. In order to submit an application to transfer to the Inactive class, the applicant must pay a fee of \$50.00.
- b. The registration fee for a certificate in the Inactive class of registration is \$300.00.
- c. If the member wishes to renew their registration in the Inactive class, there is a renewal fee of \$300.00.

3. Terms, Conditions, and Limitations (TCL)

In addition to the standard terms, conditions and limitations (which are set out in [s. 5\(1\) of the Registration Regulation](#)) every member of the Inactive Class must adhere to the following additional terms, conditions, and limitations (as set out in [s. 16 of the Registration Regulation](#)):

1. The member shall not
 - a. Engage in the practice of traditional Chinese medicine in the province of Ontario;
 - b. Supervise the practice of traditional Chinese medicine in the province of Ontario;
 - c. Make any claim or representation to having any competence in the profession in the province of Ontario.

It is also a TCL that the member only use the authorized title/designation while in the Inactive Class, namely:

Title	Designation
Traditional Chinese Medicine Practitioner (Inactive)	R. TCMP (Inactive)
Acupuncturist (Inactive)	R. Ac (Inactive)

4. Reinstatement Process

- a. A member who holds a certificate in the Inactive class may apply to the Registrar for reinstatement to the General class by:
 - i. Making an application to the Registrar for reinstatement;
 - ii. Paying any penalty or other amount owed to the College;
 - iii. Paying any fees required under the College's by-laws;
 - iv. Providing the College with any information that it has required of the member;



- v. Satisfying the Registrar that he or she will be in compliance with all of the terms, conditions and limitations of the General class certificate as of the anticipated date on which the certificate will be issued; and
 - vi. Satisfying a panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practise of the profession that would be expected of a member holding a General class certificate;
- b. Applications for reinstatement will be considered on a case-by-case basis. However, members who, as of the date of application for reinstatement
- i. have been registered in the Inactive class for less than two (2) years, and
 - ii. have completed at least 500 patient visits in the previous three (3) years
- will be deemed to have satisfied requirement 4(a)(vi) listed above unless there exist other extenuating factors which would require further review.
- c. Members who have been registered in the Inactive class for more than two (2) years as of the date of the application for reinstatement will need to satisfy a Panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practise of the profession that would be expected of a member holding a General class certificate.
- i. Members who have been registered in the Inactive class for more than two (2) years as of the date of the application for reinstatement will be required to complete a self-assessment prior to the review by a Panel of the Registration Committee.
 - ii. If the Panel does not believe that the member satisfies requirement 4(a)(vi), the Panel may require the following before agreeing to reinstatement:
 - a. Successful completion of a program or examination or training to address the member's deficiencies in knowledge, skill or judgment;
 - b. Agreement by the member to additional terms, conditions and limitations being imposed on the member's certificate of registration; and/or
 - c. Other steps to address any deficiencies in knowledge, skill or judgment.
 - iii. The following non-exhaustive criteria may be used by a Panel of the Registration Committee to determine which outcome is most appropriate:
 - Duration of time since member last practiced;
 - Nature and intensity of last practice;
 - Quality and quantity of efforts to maintain currency while not practising;
 - The applicant's re-entry plan.
- d. When considering an application for reinstatement, a panel of the Registration Committee may use the following matrix to determine an appropriate balance of training requirements to address gaps in the currency of the member's knowledge, skill or judgment:



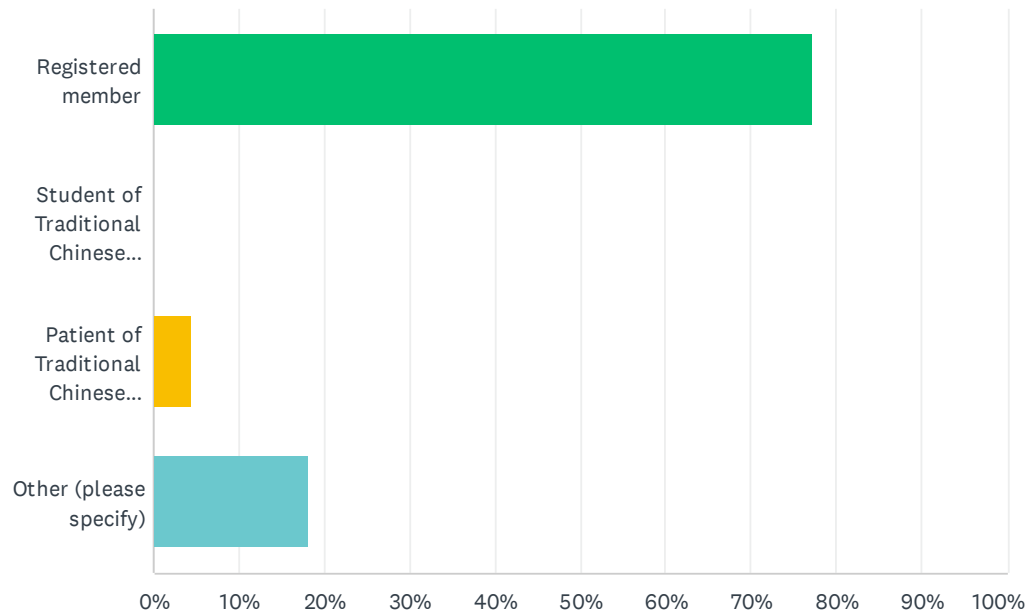
Number of Patient Visits Completed in the Last Three Years	Number of Course Hours Required	+	Number of Supervised Patient Visits* Required	=	Recommended Number of Refresher Training Hours to be Completed
401-499		+		=	25
301-400		+		=	75
201-300		+		=	125
101-200		+		=	175
0-100		+		=	225

* Note – for Inactive Class Members returning to the General Class, one patient visit is considered to be the equivalent of one hour of learning

Members are not authorized to resume practice until their reinstatement application has been approved, in writing, by the Registrar. If a member is suspected of doing so, he or she could be the subject of a complaint or a Registrar's Report and investigated by the Inquiries, Complaints and Reports Committee (ICRC) for allegations of professional misconduct or an injunction by a court requiring compliance with the legislation.

Q1 Please select which applies.

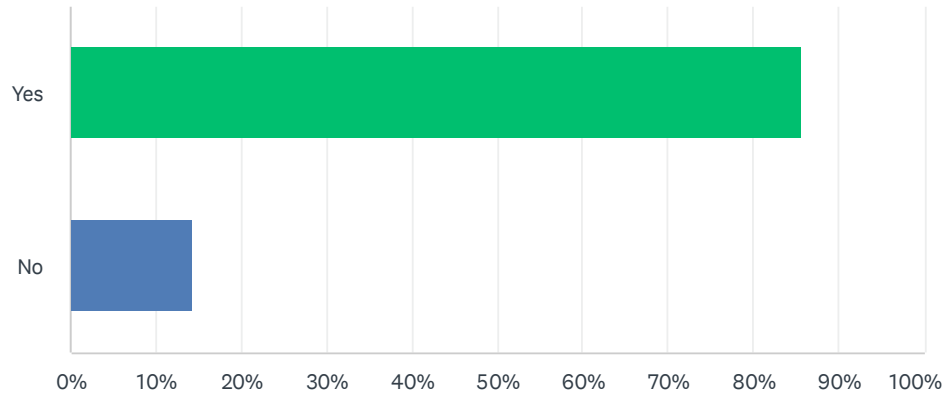
Answered: 22 Skipped: 0



ANSWER CHOICES	RESPONSES	
Registered member	77.27%	17
Student of Traditional Chinese Medicine	0.00%	0
Patient of Traditional Chinese Medicine/Public	4.55%	1
Other (please specify)	18.18%	4
TOTAL		22

Q2 Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

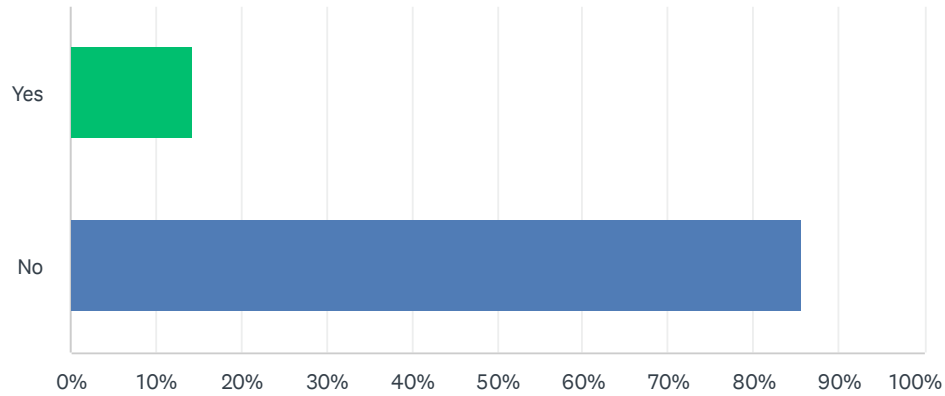
Answered: 21 Skipped: 1



ANSWER CHOICES		RESPONSES	
Yes		85.71%	18
No		14.29%	3
TOTAL			21

Q3 Do you have any comments, questions, or concerns about the language used in Section 4.b?

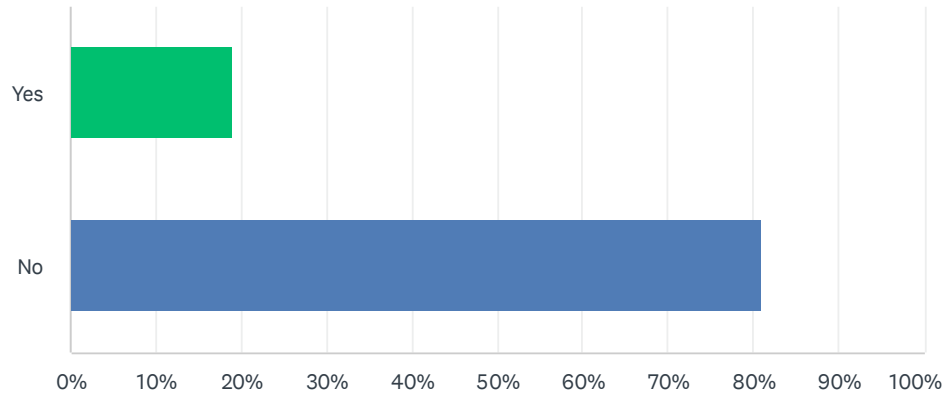
Answered: 21 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	14.29%	3
No	85.71%	18
TOTAL		21

Q4 Do you have any comments, questions, or concerns about the matrix in Section 4.d?

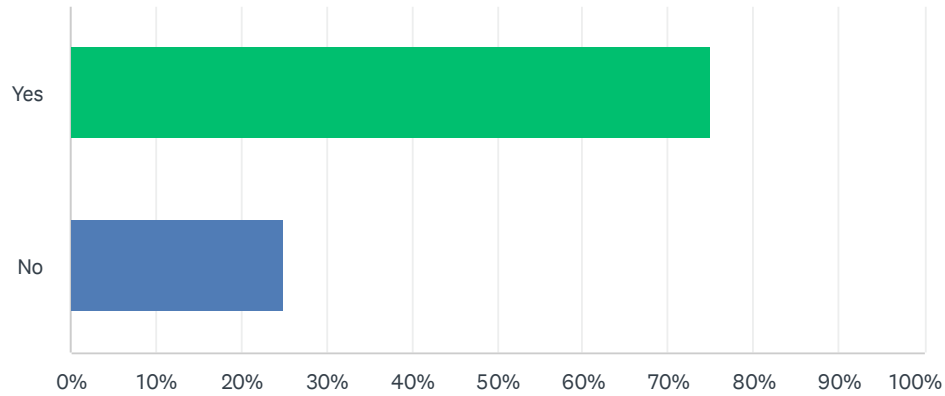
Answered: 21 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	19.05%	4
No	80.95%	17
TOTAL		21

Q5 Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

Answered: 20 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	75.00%	15
No	25.00%	5
TOTAL		20

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 4:23:20 PM
Last Modified: Friday, October 18, 2024 4:29:27 PM
Time Spent: 00:06:06
IP Address: 67.70.19.238

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 4:26:52 PM
Last Modified: Friday, October 18, 2024 4:49:59 PM
Time Spent: 00:23:07
IP Address: 162.157.123.99

Page 1

Q1

Please select which applies.

Other (please specify):
CEO of Regulatory College

Q2

Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Yes,

Comments:

I would like to see consideration of the years of practice prior to going inactive. A new practitioner who has one year of practice (500 patient visits) will require far more 'refresher' after being inactive for <2 years than a practitioner who has been practicing for 15-20 years. I think the refresher hours are excessive for seasoned practitioners.

Q5

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

No,

Comments:

If someone is inactive for 1 year and 364 days, that leaves them only one year plus a day to have seen 500 patient visits. If someone is only inactive for 1 year, that leaves them two years to have seen 500 patient visits, which is 250 patient visits a year. Is 250 patient visits a year satisfactory? I would say yes. Is two years of doing this providing any extra measurable knowledge, skills or judgement than one year of seeing 250 visits? For a registrant who has already been practicing, I think it is highly questionable that you would be able to measure any difference. The number of patient visits seems excessive.

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 5:03:52 PM
Last Modified: Friday, October 18, 2024 5:04:20 PM
Time Spent: 00:00:27
IP Address: 172.226.162.65

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 5:29:33 PM
Last Modified: Friday, October 18, 2024 5:30:09 PM
Time Spent: 00:00:36
IP Address: 99.225.19.112

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 6:45:52 PM
Last Modified: Friday, October 18, 2024 6:50:41 PM
Time Spent: 00:04:48
IP Address: 142.198.81.226

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#6

INCOMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 7:19:13 PM
Last Modified: Friday, October 18, 2024 7:23:55 PM
Time Spent: 00:04:41
IP Address: 184.151.190.255

Page 1

Q1

Registered member

Please select which applies.

Q2

Respondent skipped this question

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

Respondent skipped this question

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

Respondent skipped this question

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5

Respondent skipped this question

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#7

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 7:27:22 PM
Last Modified: Friday, October 18, 2024 7:28:42 PM
Time Spent: 00:01:19
IP Address: 76.71.157.224

Page 1

Q1**Registered member**

Please select which applies.

Q2**Yes**

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3**No**

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4**No**

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5**Respondent skipped this question**

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 18, 2024 7:47:04 PM
Last Modified: Friday, October 18, 2024 7:50:59 PM
Time Spent: 00:03:54
IP Address: 129.224.208.247

Page 1

Q1

Registered member

Please select which applies.

Q2

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

No,

Comments:

If someone is practicing in another province this new amendment should not apply. The purpose is for people who are not doing acupuncture at all.

Q3

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Yes,

Comments:

If someone is practicing in another province this new amendment should not apply. The purpose is for people who are not doing acupuncture at all.

Q4

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Yes,

Comments:

I don't think it should apply to people who staying licenced and are still practicing and insured who are in another province.

Q5

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

No,

Comments:

I don't think it should apply to people who staying licenced and are still practicing and insured who are in another province.

#9

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, October 19, 2024 2:16:53 PM
Last Modified: Saturday, October 19, 2024 2:18:08 PM
Time Spent: 00:01:15
IP Address: 162.221.123.59

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#10

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, October 20, 2024 8:19:26 AM
Last Modified: Sunday, October 20, 2024 8:22:10 AM
Time Spent: 00:02:43
IP Address: 130.41.219.30

Page 1

Q1

Registered member

Please select which applies.

Q2

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Yes,

Comments:

I am following the requirements for the general practice member.

Q3

No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5

Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#11

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, October 20, 2024 10:48:57 AM
Last Modified: Sunday, October 20, 2024 10:54:32 AM
Time Spent: 00:05:35
IP Address: 174.89.163.102

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#12

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, October 20, 2024 2:56:29 PM
Last Modified: Sunday, October 20, 2024 2:57:13 PM
Time Spent: 00:00:44
IP Address: 99.231.35.93

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#13

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 21, 2024 6:12:25 AM
Last Modified: Monday, October 21, 2024 6:15:50 AM
Time Spent: 00:03:25
IP Address: 142.163.46.70

Page 1

Q1

Please select which applies.

Other (please specify):
Regulator

Q2

Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Yes,

Comments:

My question is how was this matrix determined? It is always interesting to understand how Regulators determine the number of hours or patient visits that determine competence.

Q5

Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#14

INCOMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 21, 2024 12:20:05 PM
Last Modified: Monday, October 21, 2024 12:20:36 PM
Time Spent: 00:00:30
IP Address: 192.139.153.38

Page 1

Q1 Other (please specify):
Stakeholder, employer of acupuncturists
Please select which applies.

Q2 Yes
Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No
Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No
Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes
Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#15

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 21, 2024 12:29:41 PM
Last Modified: Monday, October 21, 2024 1:05:13 PM
Time Spent: 00:35:31
IP Address: 149.248.56.169

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 No,

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

Comments:
I think the fee of \$300 should be reduced to at least half that amount

#16

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, October 21, 2024 4:09:24 PM
Last Modified: Monday, October 21, 2024 4:09:50 PM
Time Spent: 00:00:26
IP Address: 99.229.166.72

Page 1

Q1 Registered member

Please select which applies.

Q2 Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#17

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, October 22, 2024 3:09:04 PM
Last Modified: Tuesday, October 22, 2024 3:22:42 PM
Time Spent: 00:13:37
IP Address: 75.155.77.100

Page 1

Q1

Please select which applies.

Other (please specify):

Regulatory College

Q2

Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5

Yes

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

#18

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, October 24, 2024 9:32:37 AM
Last Modified: Thursday, October 24, 2024 9:43:53 AM
Time Spent: 00:11:16
IP Address: 156.34.216.233

Page 1

Q1

Registered member

Please select which applies.

Q2

No

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

Yes,

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Comments:

Section 4.b.ii) may become clearer if they add the addendum that "previous 3 years" mean the 3 years prior to entering into the Inactive Status.

Q4

No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5

No,

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

Comments:

I am not sure what was usually involved in the returning process to the General Member class after more than 2 years of Inactive Status. If the proposed changes are quite different from the usual procedures, I would like to know why/on what basis they have been proposed.

#19

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, October 24, 2024 10:59:26 AM
Last Modified: Thursday, October 24, 2024 11:01:41 AM
Time Spent: 00:02:15
IP Address: 74.12.74.173

Page 1

Q1

Registered member

Please select which applies.

Q2

Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5

Yes,

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

Comments:
Looks fair and very well-organized.

#20

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 25, 2024 12:52:12 PM
Last Modified: Friday, October 25, 2024 12:59:29 PM
Time Spent: 00:07:17
IP Address: 74.12.100.137

Page 1

Q1

Registered member

Please select which applies.

Q2

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

No,

Comments:

What is the actual timeframe referred to in 4.b.ii: "have completed at least 500 patient visits in the previous three years.".... Previous to the 2 years/inactive period referred to in 4.b.i. OR Previous to the date of application for reinstatement...as stated in 4.b.

Q3

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Yes,

Comments:

What is the actual timeframe referred to in 4.b.ii: "have completed at least 500 patient visits in the previous three years.".... Previous to the 2 years/inactive period referred to in 4.b.i. OR Previous to the date of application for reinstatement...as stated in 4.b.

Q4

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Yes,

Comments:

How will it be used? It is not clear at all.

Q5

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

Yes,

Comments:

Theoretically, YES -- however the concerns & questions raised may influence my answer

#21

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, October 29, 2024 1:31:16 PM
Last Modified: Tuesday, October 29, 2024 1:51:38 PM
Time Spent: 00:20:21
IP Address: 156.34.216.233

Page 1

Q1

Registered member

Please select which applies.

Q2

Yes

Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3

No

Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4

No

Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5

No,

Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

Comments:

If inactive member continuously practices in another province full time(at least over 35hrs/week or over 200visits/yr), transition back to General Class should be accepted without any condition.

#22

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Saturday, November 02, 2024 6:02:49 PM
Last Modified: Saturday, November 02, 2024 6:03:28 PM
Time Spent: 00:00:39
IP Address: 23.233.10.215

Page 1

Q1 **Patient of Traditional Chinese Medicine/Public**
Please select which applies.

Q2 **Yes**
Are the proposed changes made to the Policy for a Certificate in the Inactive Class of Registration clear to you?

Q3 **No**
Do you have any comments, questions, or concerns about the language used in Section 4.b?

Q4 **No**
Do you have any comments, questions, or concerns about the matrix in Section 4.d?

Q5 **Yes**
Do you agree with the proposed changes to the Policy for a Certificate in the Inactive Class of Registration?

College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario Risk Management Plan

Risk Management Vision

The College is committed to building and fostering an enterprise risk management culture that clearly faces reality through systematic process of risk identification, assessment, and management and will affect this through its strategic planning process. The College’s value of serving and protecting the public interest, providing quality service, accountability and transparency, teamwork and collaboration are the foundation of the organizational risk culture and will guide our actions.

Stakeholder Roles and Responsibilities

Role	Risk Management Responsibility	Assignment
Council	Responsible for approving Risk Tolerance Evaluation, reviewing Risk Management Plan and periodically reassessing success of Risk Management strategies.	Council Members
President	Responsible for leading Council in reviewing the Risk Management Plan, implementing certain procedures needed in specified emergency situations, ensuring action is taken as necessary to protect the separation of Council from operations.	Joanne Pritchard-Sobhani
Registrar and CEO	Responsible for ensuring comprehensive risk assessment within the organization, development and implementation of mitigation strategies, and ongoing evaluation of effectiveness of risk management by the organization.	Sean Cassman
Director, IT, Finance and Corporate Services	Responsible for identifying risk factors relating to financial management policies and procedures, adhering to sound financial risk management and mitigation policies and strategies. Champions organization-wide effort to protect the vital assets of the College and engage key stakeholders in risk management activities.	Francesco Ortale
Program Managers	Responsible for complying with obligations outlined in the Health Professional Procedural Code respecting procedure, timelines, transparency, objectivity and fairness.	Ryan Chu, Mary Kennedy, Mohan Cappuccino, Sean Cassman



Risk Management Process and Activities

The College regularly undertakes risk management activities to protect the interests of the public, its members and the Government of Ontario to which it is accountable. Risk management involves complex processes of risk assessment, development and implementation of mitigation strategies and evaluation of effectiveness, change and opportunity. Effective risk management requires the active engagement of everyone actively engaged in the organization and may include consultation with external experts such as auditors. The College adheres to a Risk Management Policy which requires regular review, evaluation and reporting to Council.

Risk Analysis Matrix

College staff engage in a collective and joint process to identify types of risks that are likely to affect the achievement of business goals. For each risk, staff consider what could happen, how and why it could happen, and the consequences of said risk.

Staff systematically review the following to identify potential risks and to categorize potential risks using a risk occurrence matrix:

- each function performed within the College,
- records and reports generated or retained by the College.
- business processes, policies and procedures.
- resources of the College including knowledge of history, processes and legislative, operational and policy environment, staff, furnishings and equipment.

Types of Risk Identified:

1. Governance
2. Loss Confidence in CTCMPAO
3. Finance
4. Information Management
5. Facility/Site Safety and Security
6. Human Resources
7. Statutory Obligations
8. Exam



Risk Occurrence Matrix

<div>Likelihood (probability of occurring)</div> <div>Consequence/ Impact</div>		Rare <div>The event may occur in exceptional circumstances.</div> (0 – 5 %)	Unlikely <div>The event has happened at some time.</div> (6-33%)	Possible <div>The event has happened periodically</div> (34-65%)	Likely <div>The event has happened previously and could reasonably occur again.</div> (66-79%)	Almost Certain <div>The event is extremely likely to occur</div> (80-100%)
		1	2	3	4	5
Negligible <div>Low financial/reputation loss, small impact on operations</div>	1	1	2	3	4	5
Minor <div>Some financial loss, moderate impact on business</div>	2	2	4	6	8	10
Moderate <div>Moderate financial loss, moderate loss of reputation, moderate business interruption</div>	3	3	6	9	12	15
Major <div>Major financial loss, several stakeholders raised concerns, major loss of reputation, major business interruption</div>	4	4	8	12	16	20
Extreme <div>Complete cessation of business, extreme financial loss, irreparable loss of reputation</div>	5	5	10	15	20	25

Risk Rating	Risk Priority	Description
1-4	L	Low Risk: May require consideration in any future changes to the work area or processes, or can be fixed immediately
5-9	M	Medium Risk: May require corrective action, planning and budgeting process



10-16	H	High Risk: Requires immediate corrective action
20-25	E	Extreme Risk: Requires immediate prohibition of the work, process and immediate corrective action

Risk Assessment

This step involved analysing the likelihood and consequences of each identified risk using the measures provided in the table above. The College considers two types of risk:

- Inherent risk – represents the current level risk that exists given the existing set of controls.
- Residual risk – represents the amount of risk that remains after additional controls are in place.

The staff looked at the existing controls for each risk and identified what we would do to control the risk. Then, using the chart, they rated the effectiveness of existing controls in preventing the risk from happening or minimising its impact should it occur.

- Likelihood is a qualitative description of probability and frequency, asking the question ‘what is the likelihood of the risk occurring?’
- Consequence was described as the outcome of the event, being a financial loss, loss of reputation, or business interruption, asking the question, ‘what is the consequence of the risk event?’
- The risk rating was the sum of the consequence rating times the likelihood rating.
- The risk priority chart provides an indication of urgency to how soon the staff needed to implement a strategy to address the risk.



Risk Register Summary

Risk		Risk Assessment		Risk Outlook	Notes
Category	Risk Description	Previous Quarter	Current		
Governance	Not reaching quorum to constitute a Committee or Council becoming unconstituted	●	●	↔	
Governance	Council/Committees operating outside of mandate or becoming involved with operational matters	●	●	↔	
Governance	Council/Committees not adhering to Code of Conduct, Conflict of interest, bylaws and other Council policies	●	●	↔	
Governance	Retention of current Council and Committee members	●	●	↔	
Loss of Confidence in CTCMPAO	Applicant/member disengagement	●	●	↔	
Loss of Confidence in CTCMPAO	Perception of College as not being transparent and/or fair	●	●	↔	
Loss of Confidence in CTCMPAO	Insufficient support to external stakeholders	●	●	↔	
Financial	Insufficient financial resources impacting the ability of the College to meet its mandate	●	●	↔	
Financial	Poor financial management resulting in the College meeting its strategic initiatives	●	●	↔	
Financial	Risk of fraud and/or theft	●	●	↔	
Information Management	Information and computer systems are compromised	●	●	↔	
Information Management	Improper handling of digital data	●	●	↔	
Information Management	Breach of confidentiality	●	●	↔	
Information Management	Unintended destruction or loss of records	●	●	↔	
Facility/Site Safety and Security	Permanent damage to equipment and/or furnishings	●	●	↔	
Facility/Site Safety and Security	Computers, servers and other items of value are stolen	●	●	↔	
Human Resources	Disruption in work due to unexpected employee absence and/or resignation	●	●	↔	



Human Resources	Interpersonal conflicts				
Statutory Obligations (Patient Relations)	College is not taking appropriate measures to keep client/patients safe from sexual abuse				
Statutory Obligations (Registration)	Mitigating lack of oversight in TCM education				
Statutory Obligations (Registration)	College's registration process is not transparent, objective, impartial, and fair				
Statutory Obligations (QA)	QA Program is not effective for maintaining the continuing competency of members				
Statutory Obligations (All Departments)	Lack of tools helping members in understanding and meeting their statutory obligations				
Statutory Obligations (ICRC)	Complaints received are not resolved in a timely manner and/or backlog of Registrar's reports				
Statutory Obligations (ICRC/Discipline)	Fairness to member who receives a complaint or is going through discipline				
Statutory Obligations (CPMF)	Demonstrate to the Ministry that College is meeting statutory obligations in a clear and transparent way				
Exam	Exam security is breached				
Exam	Validity of the administration of the exam sitting is challenged				
Exam	Validity of examination is challenged				

September 18, 2024, Council Meeting Survey

Survey Details

Open Date: 9/18/2024 10:00 AM EDT Close Date: 10/18/2024 5:00 PM EDT

Survey Results

Question 1. The agenda and supporting materials were available in OnBoard Meetings one week prior to the meeting.


Yes, I would appreciate receiving the In Camera Minutes earlier

Graphical Results

Selection	Percent	Count
Yes	<div><div></div></div> 75%	3
Most of the time	0%	0
No	0%	0
Write-In	<div><div></div></div> 25%	1
		Total 4


Question 2. The materials were presented in a clear, succinct, and timely manner to allow meeting preparation.

Graphical Results

Selection	Percent	Count
Yes	 100%	3
Most of the time	0%	0
No	0%	0
Write-In	0%	0
		Total 3

Question 3. The meeting agenda was well planned and allowed for adequate time to deal with the necessary committee business.



Graphical Results

Selection	Percent	Count
Yes	 100%	3
Most of the time	0%	0
No	0%	0
Write-In	0%	0
		Total 3

Question 4. The Chair managed the meeting well allowing each member an adequate opportunity to participate in discussion and decision-making.


Yes, The Chair does an excellent job.

Graphical Results

Selection	Percent	Count
Yes	 75%	3
Most of the time	0%	0
No	0%	0
Write-In	 25%	1
		Total 4

Question 5. The treatment of all persons was courteous, dignified and fair.

Graphical Results

Selection	Percent	Count
Yes	 100%	3
Most of the time	0%	0
No	0%	0
Write-In	0%	0
		Total 3

Question 6. I received sufficient information and training to participate in deliberations and decision-making.

Graphical Results

Selection	Percent	Count
Yes	100%	3
Most of the time	0%	0
No	0%	0
Write-In	0%	0
		Total 3

Question 7. I was able to access the meeting book in OnBoard Meetings and am able to use the annotation function without difficulty. If you feel you need more support or training in OnBoard, please leave a comment.

Graphical Results

Selection	Percent	Count
Yes	100%	3
Most of the time	0%	0
No	0%	0
Write-In	0%	0
		Total 3

Question 8. Webex Meetings and other communication devices (if any) worked well.

Graphical Results

Selection	Percent	Count
Yes	100%	3
Most of the time	0%	0
No	0%	0
Write-In	0%	0
		Total 3

Question 9. Any additional comments?

Informative and efficient meeting.

Graphical Results

Selection	Percent	Count
Write-In	100%	1
		Total 1

2025 Potential Dates

[illegible]