



# COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 1

## 1. CALL TO ORDER AND INTRODUCTIONS

### **Present:**

Dr. Gerald S. Komarnicky, Chair  
Dr. Dale Dergousoff, Inquiry Committee Chair  
Dr. Mario Pozza, Registration Committee Chair  
Dr. Rebecca Counts, Quality Assurance Chair  
Dr. Michael Dennis, Discipline Committee Chair  
Dr. Murray Hurlbert (arrived at 10:30)  
Mr. David MacPherson, Public Member  
Mr. Thomas Beasley, Public Member, Patient Committee Chair  
Ms. Barbara Buchanan, Public member  
Dr. Lawrence MacAulay, Registrar  
Stanka Jovicevic, CAO/Assistant to the Registrar

### **Guests (11:40am to noon):**

Dr. Antoinette Dumalo, BCAA President  
Dr. Richard Bissonette

- The Chair, Dr. G. Komarnicky called the meeting to order at 9:00am.
- A quorum was present, and the meeting, having been duly convened, was ready to proceed with business.
- Board members welcomed Ms. Barbara Buchanan, New Public Member
- Chair reminded the Board members that special rules were adopted that limit debate to 3 minutes per person during the first round of debate and to 2 minutes per person during the second round.
- All Board members were given a CD which describes the Roles & Responsibilities in professional regulation.
- Reminder: duty to be objective, fair, transparent, unbiased in all of our considerations.

### **Vision Statement:**

College of Optometrists of British Columbia is committed to serving and protecting the public interest by guiding the profession of optometry in British Columbia.

### **Mandate:**

The mandate of the College is derived from section 16 of the Health Professions Act where it states "It is the duty of a college at all times to serve and protect the public, and to exercise its powers and discharge its responsibilities under all enactments in the public interest." The College does not advocate for the profession but works to serve the public

## 1.1 CONFIRMATION OF AGENDA

### **It was moved, seconded and carried that:**

The Board adds the following items to the Agenda:

- A non-budget item
- Deputy Registrar
- Discussion on openness to the public
- Approval of the College letter
- Inquiry process
- Legal counsel

The Agenda was approved with the noted additions.



# COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 2

## 1.2 APPROVAL OF MINUTES

### **It was moved, seconded and carried that:**

The Board of the College accepts the following amendments for the February 28, 2009 meeting:

- Action Items, Item 17.3, to strike "all in favour."
- Item 15 Committee Shuffle, name was recorded incorrectly: to strike "Mr. John Corbett" and add "Mr. David Cristie."
- Item 15 Committee Shuffle, Dr. Alan Boyco and Dr. Jaspal Manhas are contributors not members of the QA committee.
- Item I, 4 there was not indication of who moved the motion and there is no result of the motion. Motion will read as follows: The College of Optometrists of BC shall notify MSP of the College Registrants' status with respect to MSP billing numbers, and shall advise registrants of the procedure for obtaining a MSP billing number.

### **It was moved, seconded and carried that:**

The Board of the College accepts the February 28, 2009 Minutes with amendments as noted.

### **It was moved, seconded and carried that:**

The board of the College accepts the Minutes of March 1, 2009 meeting as presented.

## 2. CORRESPONDENCE RECEIVED

### **2.1 It was moved and carried that:**

The Board of the College accepts the correspondence as submitted.

## 3. REPORTS

### **3.1 It was moved and carried that:**

The Board accepts all reports as presented.

Dr. D. Dergousoff thanked Dr. L. MacAulay and Stanka for their work with the transition of the Inquiry Committee. He also thanked to those who helped decide on our new legal council, Ms. Angie Westmacott and Mr. T. Beasley for recommending Ms. Westmacott.

## 4. ACTION ITEMS

### **4.1 It was moved and carried that:**

The Board members will use Board assigned email addresses of for Board business.

### **4.2 It was moved and carried that:**

The Standards Limits and Conditions in the Treatment of Eye Disease be posted on the website as a stand alone document.

### **4.3 It was moved that:**

Each committee of the College has a secretary from within the committee appointed by the Chair of the committee to take minutes of each meeting. Those minutes are to be emailed to each committee member and the College office within 7 days following the meeting date.

**Amendment to the motion:** to strike 7 days and insert 14 days

### **It was moved and carried that:**

The Board of the College approves the motion with amendments as noted.

### **4.4 It was moved that:**

That each committee Chair will distribute an Agenda for a forthcoming meeting to each committee member and the College office 3 days before each committee meeting.

**Amendment to the motion:** to strike 3 days and insert 7 days

### **Amended motion was moved and carried that:**

The Board approves the motion with amendments as noted.



## COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 3

### **4.5 It was moved and carried that:**

The Board of the College, pursuant to section 32(3) of the HPA, grants the Registrar authority to dispense with complaints that are deemed by the Registrar to be frivolous.

#### **Action:**

- The Registrar and Mr. T. Beasley to work on developing the criteria list.

### **4.6 It was moved that:**

The Board considers by page the proposed policies to the College.

**Motion failed**

### **It was moved and carried that:**

The presented policies be directed to a small advisory group of the Board for review and reporting back with their recommendations at the next Board meeting.

#### **Action:**

- Legislative Chair will review the proposed policies with advisory group (Dr. M. Dennis, Dr. T. Flood, Mr. T. Beasley, Dr. L. MacAulay) and report to the Board.

### **4.7 It was moved that:**

The Board approves the advisories as presented.

**Amendment to the motion:** Under the prescription pad content, page 2, item 3 relating to the patient's date of birth and address be removed from the advisory.

### **It was moved and carried that:**

The Board approves the advisories with amendments as noted.

#### **Action:**

- Registrar to circulate the advisories to the registrants.

### **4.8 It was moved that:**

The Chief Administrative Officer be authorized to oversee the conversion of College paper files into electronic files with the following criteria:

- a) all paper files less than 2 years old shall be stored as a paper file
- b) all paper files more than 2 years old will be scanned and stored as a paper file
- c) all paper files more than 10 years old will be scanned and then shredded
- d) all CE files will be scanned and then the originals will be returned to the registrant
- e) all CE files of deceased registrants will be scanned and then shredded

**Amendment to the motion:** Under 4.8 e. to strike CE

### **It was moved and carried that:**

The Board approves the motion with amendments as noted.

### **4.9 It was moved and carried that:**

That the Registrar's contractual agreement between the former Board of Examiners be transferred to the College and that the College accept it as its own.

### **4.10 It was moved and carried that:**

The Chair strikes an advisory group, to review the feasibility of appointing a full time registrar.

In-camera session: Involves a matter pertaining to personal income and comments of a person.

### **4.11 It was moved and carried that:**

The Board of the College accepts the Privacy Policy document as presented

### **4.12 It was moved and carried that:**

The Board of the College approves the attached forms of the College as presented, subject to review of consistency of language and format.

### **4.13 It was moved and carried:**



# COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 4

Resolved that the Board of the College accepts the amendments to bylaws 4 and 5, to strike 17.3.a and replace it with 19.1(i).

**4.14 It was moved and carried:**

Resolved that the Board of the College accepts the amendment to Bylaw 45, to insert the word "in".

**4.15 It was moved that:**

The Board of the College approves the amendment to bylaw 55.1; to add at the end of the bylaw "with exception of 53b."

**Motion failed:**

Board will not add "with the exception of 53b." to bylaw 55.1.

**4.16 It was moved and carried:**

Resolved that the Board of the College accepts Bylaw 58.2 be removed from its current position and moved to be Bylaw 52.3.

**4.17 It was moved and carried:**

Resolved that the Board of the College accepts Bylaw 58.3 becomes 58.2.

**4.18 It was moved and carried:**

Resolved that the Board of the College accepts the amendment to Bylaw 63.5: to "November 30<sup>th</sup>" to be consistent with Bylaw 63.3.

**4.19 It was moved and carried:**

Resolved that the Board of the College inserts a section 65.3(viii) as follows: "a letter from each regulatory body that has previously registered, licensed, certified or otherwise authorized a person to practise optometry or another health profession confirming the person's good standing in the other jurisdiction, the other health profession or both as applicable."

**4.20 It was moved and carried:**

Resolved that the Board of the College inserts a section 66.2(viii) as follows: "a letter from each regulatory body that has previously registered, licensed, certified or otherwise authorized a person to practise optometry or another health profession confirming the person's good standing in the other jurisdiction, the other health profession or both as applicable."

**Action:**

- Board directs the Registrar to itemize the remaining changes and distribute them to Board members in advance of the next meeting, to be considered all as one motion.

**4.21 It was moved and carried that:**

The Board of the College adopts the policy item statement regarding spectacle prescriptions, contact lenses and PD's as presented.

**4.22 It was moved that:**

The Board of the College adopts the policy statement regarding internet sales of glasses and contact lenses as presented

**Amendment to the motion:**

Under contact lenses item one, we strike the word optician and insert the word contact lens fitter.

**Amended motion was moved and carried that:**

The Board approves the motion with amendments as noted.

**4.23 It was moved and carried that:**

Registrants who are no longer registered with the College return their certificate of registration.



## COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 5

### **4.24 It was moved and carried that:**

Registrants who change their registration classes surrender their previous registration certificate in exchange for their newer registration certificate.

### **4.25 It was moved and carried that:**

In order to obtain a letter of good standing registrants who are moving to a different location transferring ownership of files, must notify the College in writing who will be the new registrant, Optometric Corporation, hospital, ophthalmologist, or armed forces location that will be responsible for the files in case access is required by the patient or the College. In addition the registrant must inform the patients of the transfer of the files

### **4.26 It was moved:**

To adopt the presented CE form and the CE recording and that the registrant is solely responsible for the accuracy of the CE form. The staff of the College will only record the total CE hours as indicated on the CE Record form without checking their accuracy or validity. Registrants will be subject to random audit of their CE. If the form is incomplete or the required hours are incomplete or not valid, the hours will not be counted and the registrant will be required to make up the hours and as well will be assessed a penalty."

**Motion failed**

### **Action:**

- Board directs the Registrar to make another proposal with respect to CE hours recording, to the next meeting.

### **Discussion Points:**

- The Registrar advised the Board members of a non-budget item in the amount of \$13,294.68. The majority of that was work on policies and advisories.
- Chair advised that he acknowledged the work of Dr. Tanya Flood and Mr. Gib van Ert, and asked that no further work be done without prior involvement from the Chair and pre-approved budgeting of any expenses regarding policies.

### **4.27 It was moved that:**

The Board approves of the Registrar finding a Deputy Registrar to aid the Registrar in his duties. The Deputy Registrar will be compensated at \$500 per diem plus travel and meal expenses. The Deputy Registrar's days per year shall not exceed 10 in his duties as a Deputy Registrar.

### **Amendment to the motion:**

To strike the word Registrar and insert the word Board

**Amendment failed**

### **Second amendment moved and carried that:**

The Board appoints a Deputy Registrar to aid the Registrar in his duties.

### **Amended motion moved and carried that:**

The Board appoints a Deputy Registrar to aid the Registrar in his duties. The Deputy Registrar would be compensated at \$500 per diem, plus travel and meal expenses. The Deputy Registrar's days per year shall not exceed 10 in his duties as the Deputy Registrar.

### **Action:**

- Chair will make a presentation to the Board of the College at the next meeting.

### **4.28 It was moved that:**

The Board of the College adopts the proposed agreement to collect fees for the BCO as presented on March 1, 2009

### **Amendment to the motion:**

To amend paragraph 11, section 3 under Administration to read "this agreement will be for a term of one fee collection year."



## COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 6

**Amended motion was moved and carried that:**

The Board approves the motion with amendments as noted.

**It was moved that:**

The Board adopts the amended agreement to collect fees for the BCAO as presented and referenced March 1, 2009. **Motion failed**

Dr. M. Dennis requested that his vote in favour of the motion be recorded. A separate request was made by Dr. R. Counts, to record that the vote failed with 4 in favour and 4 against the motion.

**4.29 It was moved that:**

The presented logo be the new logo of the College of Optometrists of BC.

**Motion failed**

**It was moved and carried:**

To continue to seek a new logo for the College of Optometrists incorporating the current shield of the College of Optometrists.

**4.30 It was moved and carried that:**

An applicant who has not graduated from an accredited school of optometry but meets all of the requirements as a full registrant is entitled to the title "Doctor."

Dr. M. Hurlbert thanked Stanka for the research "an applicant who qualifies for registration under Bylaw 58."

**4.31 It was moved and carried that:**

The motion 4.1 from the March 1, 2009 meeting is tabled for further review with the substantial motion changes.

The Registrar recommended the following motion:

The Board directs the Registrar to make successful completion of the CSAO a requirement for applicants, who are being registered for the first time in any jurisdiction, to become registered with the College of Optometrists of BC

**4.32 It was moved that:**

The registration committee recommends that this Board should affirm the actions of the Registrar and the staff in authorizing registration and renewal of members. **Motion failed**

**4.33 It was moved that:**

The college will make a reasonable attempt to contact those Optometric Corporations who are in default of their renewal and the College will inform the Registrar of Companies 31 days after their default.

**Action:**

- To confirm if we are obligated to notify the Registrar of Companies when someone is in default with its optometric corporation.

**Motion tabled until it is confirmed**

**4.34 It was moved and carried that:**

The Board directs the Registrar to continue to review submitted continuing education courses for approved continuing education hours for the College.

**4.35 It was moved and carried that:**

Dr. Michael Ing be informed that before he can become registered he must pay monies owed.

**Action:**

- Registrar to send a letter.



## COLLEGE OF OPTOMETRISTS OF BRITISH COLUMBIA

Board Meeting May 24, 2009  
Approved September 13, 2009

Page 7

### **Action:**

- To write a letter to the current 3 registrant requesting a proof of professional liability insurance.

### **4.36 It was moved and carried that:**

A member of the Quality Assurance Committee be present at each session of the planned College traveling Road Show", "to present proposals for a new QA program and solicit registrant feed back for the committees consideration."

### **4.37 It was moved and carried:**

To move the agenda so that the financial report review item be situated just following the Chair's report.

### **4.38 It was moved and carried:**

To accept the proposed operating budget for the College of Optometrists for 2010 as outlined in the hand out.

### **4.39 It was moved and carried that:**

The Board of the College approves the registrant fee for 2010 in the amount of \$1390."

**Amendment to the motion:** to strike \$1,390 and add \$1,300.

### **Amended motion was moved and carried that:**

The Board approves the motion with amendments as noted.

### **4.40 It was moved and carried that:**

The Board approves the concept of sending a letter of apology to the current registrant, after review and revision by our legal counsel.

### **4.40 It was moved and carried that:**

Dr. Jeffrey Mann be a member of the Discipline Committee (Dr. Thomas Adamack resigned from the Discipline Committee).

### **Discussion Points:**

- To increase efficiency, to look at the stenographer
- Openness of the meetings/the place, date, time, agenda to be provided to members of the public on request.
- All the Committee Chairs are asked to submit a report to the Examiner editor. To reduce the costs, this will be the last printed version of the Examiner.
- To review the election procedure

### **5. Future Board meetings dates**

The next meetings of the College are proposed for September 13 and December 6, 2009.

### **6. ADJOURNMENT**

The meeting was adjourned at 4:05