



College of Physicians and Surgeons of British Columbia

Minutes

2022 Annual General Meeting

Friday, September 23, 2022 – 8 a.m.

Via Zoom

1. Coast Salish Peoples acknowledgement

The president acknowledged that this annual general meeting was being chaired on the unceded and traditional territories of the Coast Salish Peoples, including the Squamish, Tsleil-Waututh and Musqueam nations, whose historical relationships with these lands continue to this day. The president also acknowledged that all attending today virtually are located on unceded and traditional territories of First Nations across this great province.

2. Call to order

A quorum being present, Dr. B.A. Priestman, president, called the annual general meeting to order at 8 a.m.

3. Adoption of the minutes – Annual General Meeting, September 24, 2021

The following resolution was MOVED, SECONDED and CARRIED:

RESOLUTION 22-821

RESOLVED that the minutes for the College of Physicians and Surgeons of BC's Annual General Meeting held September 24, 2021, be adopted as published on the College website.

4. Presentation of audited financial statements

The audited financial statements for the year ending February 28, 2022, have been approved by the Board and published on the College website.

5. Appointment of auditors

At the time that the agenda and motions for Annual General Meeting were sent, the College was in the second year of a five-year contract to engage PricewaterhouseCoopers (PwC) as auditors of the College's finances, however since that time, PwC has advised the College that they no longer are providing services to the non-profit sector. The College had been working with the firm KPMG LLP for many years. With the sudden loss of PwC, the College approached KPMG LLP to determine if they would be prepared to conduct the annual audit. This matter has been reviewed by the College's Finance and Audit Committee and Board.

The amended motion is to appoint the firm of KPMG LLP as auditors for the current fiscal year.

The following resolution was MOVED, SECONDED and CARRIED:

RESOLUTION 22-822

RESOLVED that the firm of KPMG LLP be appointed as auditors for the current fiscal year.

6. In memoriam

The president acknowledged registrants that passed away between March 1, 2021 and February 28, 2022.

At the request of the president, deceased registrants were remembered by a moment of silence.

7. President's report

The president commended the unwavering commitment of College registrants who have cared for their patients during the COVID-19 pandemic and acknowledged that the medical profession has been stretched thin during this unprecedented time.

The president acknowledged that there is a primary care critical access issue and the College recognizes that family practitioners are doing their best to provide that care to their patients. Finding a *quick win* to this complex situation is not easy and it will require the input of many organizations and governments across jurisdictions.

The College is acutely aware of the opioid crisis continuing to rage in BC and across Canada, which has had a devastating impact on so many patients and their families. This reality requires registrants to pause and reflect, to consider priorities and remember what is most important, as both medical professionals and as individuals with friends and family. The president thanked registrants for their continued resilience.

Against this complex backdrop, the statutory obligations of the regulator do not cease, and patient care remains the foundation of the work the College does. This means being mindful of the role in ensuring the public is receiving safe, competent care from registrants. The College continues to register and license qualified physicians; to respond to patient complaints and take the appropriate action; to administer quality assurance and accreditation programs; and to develop standards to ensure professionalism in medical practice.

The College utilizes a *right-touch* approach to regulation and is proportionate in how it conducts business. Right-touch regulation means there is intervention when necessary, and the steps taken to address a situation are appropriate to the risk posed. The College is consistent in its approach, and the decisions, rules and standards are aligned and fair. The College is transparent and accountable, and the actions taken are justified and can withstand public scrutiny.

Right-touch regulation encourages a collegial relationship with registrants based on mutual respect and trust. It also requires changing behavior through remediation and education rather than the use of a regulatory lever. This is a right-touch approach that the College strongly endorses and sees as being more effective and proportionate in many circumstances.

The world is rapidly changing, and it is the College's responsibility to remain agile, anticipate change, identify and mitigate new risks, and adapt the focus as necessary to meet the expectations of the modernized duties and a shifting health care system.

The president informed registrants that the College is conducting a review to identify opportunities to make the complaints process more accessible to Indigenous Peoples. The goal of the review is to develop a future state of the complaints process that addresses the recommendations from the *In Plain Sight* report and includes pathways for Indigenous Peoples to have their complaints addressed in a way that is culturally safe and appropriate. As an organization that strives to use knowledge as a tool for creating change, this review is a critical step for the College to undertake in acknowledging its colonial

past and demonstrating its steadfast commitment to truth and reconciliation. At an operational level, the review will shed light on how the College can break down barriers and encourage Indigenous Peoples to bring forward concerns about their care, and identify opportunities for the process to be better informed through a lens of cultural safety and humility.

While the regulator's role in health human resourcing is limited, the College is deeply concerned that one in five British Columbians lives without access to a primary care provider, and it continues to leverage every licensing mechanism available within the parameters of the current legislative framework. The College continues to have discussions with provincial and national partners to identify opportunities to expedite registration for applicants who meet eligibility criteria and to support a robust mechanism for movement within Canada to address growing demands.

The College has introduced a new associate physician class of registration to allow practitioners with some medical training to work under supervision in acute care settings to increase capacity and service delivery. The president acknowledged that increasing the supply of physicians, creating more opportunities for international medical graduates, and addressing health system needs are not problems that can be solved easily with short-term solutions. They require innovative and coordinated systems-based responses. The College is keen to be involved in these discussions and looks forward to working towards long-lasting solutions.

The development of practice standards, which is a statutory requirement of the College under the *Health Professions Act*, has increased compared to other years. Some registrants have expressed concern that adhering to expectations contained in College standards, coupled with the volume of new or revised practice standards, has placed undue pressure on their already busy lives.

Many of the revisions to existing standards or the introduction of new standards these past two years came about because of the pandemic, which brought to light several important patient care matters that needed to be addressed immediately. While all practice standards are reviewed on a four-year cycle to ensure they remain current and relevant, the social landscape is not always predictable, which makes it difficult to determine when a just-in-time regulatory response may be required.

Standards address issues such as social justice, health equity, and patient care. These issues are identified through the College's complaints process, from other jurisdictions, from public interest issues in the media, or from government reports on health system matters. Standards are drafted with input from registrants through a voluntary consultation process. The College appreciates hearing from registrants and values the feedback.

A registrant's compliance with College standards inevitably reduces the risk of an interaction being brought to the College as a complaint. To that end, the College expects registrants to use and trust their own professional judgement in applying standards in their practice, and to seek out necessary supports to arrive at a solution and plan of action.

Over the next two years, the College will be increasing its efforts to make its standards more accessible, and to support registrants in applying them through use of online learning courses and other interactive resources. The president informed registrants to watch for an announcement shortly about the launch of the first series of online courses, addressing practice standards that frequently elicit questions.

The president acknowledged that the times may be extraordinary, but if the past year is any indication, the College and registrants have developed a collective resilience to overcome whatever uncertainty awaits in the future. The health system is undergoing unprecedented changes and there is tremendous opportunity to work together with provincial and national partners to shape the future.

8. Other business

There being no further business, the president opened the floor for questions.

The following questions and comments were responded to:

1. A registrant asked if the College offered whistleblower protection or support? Specifically, referring to instances that fall outside the legally mandated cases where registrants are obliged to report.

Dr. Heidi Oetter, registrar and CEO, thanked the registrant for the question and understands how collateral bullying is very disturbing for the profession. The College's existing legislative framework is the tool available and currently, there are no good whistleblower protections. The College has identified this as a critical area to government that will need to be addressed by the *Health Professions Act (HPA)*.

Mr. Graeme Keirstead, KC, deputy registrar and chief legal counsel, noted there is statutory immunity associated with duties to report. The duty to report is comprehensively captured under section 32.2 of the *HPA* Bylaws, a registrant must be reported if it is believed that continued practice is a danger to the public. Section 32.5, which deals with statutory immunity, is a form of whistleblower protection; but it only shields a reporter from an action for damages. It does not shield anyone from a cross-complaint, or something that could be viewed as based on retaliation for having made the complaint. That is a gap that the College is aware of and has requested that government address it with newly reformed legislation.

Administrative fairness provides a registrant the opportunity to respond to a complaint. Both sides being heard is a fundamental part of an administratively fair process.

2. A registrant asked how can out-of-province doctors be hired if they are not allowed to observe a clinical setting without a BC medical licence?

The registrar acknowledged that the *HPA* requires the College to administer a criminal record check before anyone can enter the health-care system and that there is a visitor class of registration, which permits people to observe the health-care setting. Those needing more information on the visiting class of registration are encouraged to visit the College's website and contact the registration department to discuss possibilities and options.

9. Conclusion

There being no further business, the 2022 Annual General Meeting concluded at 8:28 a.m.

Heidi M. Oetter, MD

Registrar and CEO

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