

# COLLEGE OF DIETITIANS OF BRITISH COLUMBIA

**Meeting of the Inquiry Committee**  
**Friday, June 26, 2009 - 9:00 am to 1:30 pm**  
**CDBC office**  
**Suite 103 – 1765 West 8<sup>th</sup> Avenue**  
**Vancouver, BC**

## MINUTES

Ic09/Meetings/June 26-09 Minutes Appr'd web.doc

**Present:** Robin Watt (Chair) via teleconference, Carol Fawcett, Carol Hartnett, Tina Hartnell, Lesley Nicholls (Vice-chair), Buncy Pagely

**Guests:** Jan Greenwood, Investigator and Melanie Journoud, Investigator and Practice Advisor (9:00am to 12:00pm); Catharine Herb-Kelly, QC, Legal Counsel (9:00 to 11:00am)

**Staff:** Fern Hubbard, Registrar

Item No	Agenda Item	Discussion/Decision
1	<b>Call to Order</b>	Robin Watt, Chair, welcomed new and returning Committee members. Self-introductions were made.
1.1	<b>Adoption of Agenda</b>	Adopted as circulated by consensus.
1.2	<b>Approval of Nov 5, 2008 Minutes</b>	<b><i>The Inquiry Committee resolves to approve the Minutes of the November 5, 2008 meeting as circulated. Carried.</i></b>
2	<b>Reports</b>	
2.1	<b>Registrar's Report</b>	Fern Hubbard, Registrar, answered questions about the written report.
3	<b>Ongoing Business</b>	
3.1	<b>Case #07-05</b>	The Committee reviewed the Case Outcome Report for case #07-05 and Fern provided a status report on actions taken by the complainant since the case was closed May 12/08.
4	<b>New Business</b>	
4.1	<b>Orientation</b>	Fern provided a brief orientation to the Inquiry Committee and reviewed pre-circulated documents. Code of Conduct Declarations, an annual requirement, were signed and gathered. (Note: Investigators already have Declarations on file.) Legal counsel recommended that all members have a hard copy of section 4.2 of the <i>Health Professions Act</i> (HPA) regarding the Health Professions Review Board.
4.2	<b>Presentation: Catharine Herb-Kelly, QC, legal counsel</b>	Legal counsel's PowerPoint presentation was circulated at the meeting. Her review included pertinent sections of the HPA, processes and principles for proper investigations, evidence, bias, powers of the Health Professions Review Board (HPRB) and new investigation timelines, decisions they could make and relevant case law. Legal counsel answered Committee members' questions.
4.3	<b>Inspectors' Presentation: Jan Greenwood and Melanie Journoud</b>	Two Investigators presented information from their September 22-24, 2008 Nationally Certified Investigators Training (NCIT) course sponsored by the Counsel on Legislation, Enforcement and Regulation (CLEAR). They discussed lessons learned from the NCIT course, their role and responsibilities, and using a fictitious case, reviewed HPA investigation processes. They also answered questions.

4.4	<b>Case #09-06 (new)</b>	<p>The Committee reviewed a briefing note and supporting documents for an “own motion” complaint initiated by the CDBC regarding a registrant who signed her Registration Renewal Declaration stating “I will practice at all times in compliance with... the bylaws of the [CDBC]...” when she had not complied with section 51 (1)(e) of the CDBC bylaws which states “To be eligible for renewal of registration, a registrant must... (e) meet the quality assurance requirements as approved by the quality assurance committee.”</p> <p>The registrant had not submitted a completed Professional Development Plan by the March 31, 2009 deadline of her Continuing Competence Program (CCP) cycle and by signing the Declaration, breached a CDBC bylaw. In a letter dated April 17, 2009, the registrant admitted the error and took responsibility for missing the deadline. The Committee reviewed pertinent documentation and sections of the HPA. Members declined the registrant’s offer to make amends by researching the currency of the Patient Relations Committee’s Interpretive Guideline on “Privacy Legislation for Private Practitioners” and revising the handout provided to her private practice clients and the Interpretive Guideline because privacy guidelines are not directly related to the bylaw breach.</p> <p><b><i>The Inquiry Committee resolves that, in accordance with sections 33(6)(c) and 36(a) of the Health Professions Act, the registrant in case #09-06 is asked to sign an undertaking agreeing to not repeat making a false declaration, which will be stored in her file for 6 years. Carried.</i></b></p> <p>Fern will check on the new HPA requirements relating to publication.</p>
4.5	<b>Policy review</b>	
4.5.1	<b>Ic-01 Investigators</b>	<b><i>The Inquiry Committee resolves to approve amendments to policy Ic-01, Investigators, as circulated and to recommend approval to the Board. Carried.</i></b>
4.5.2	<b>Ic-02 Inter Gdls – Inquiry Process</b>	Fern reported that the Interpretative Guideline update was not yet complete. Updates will be completed and forwarded to Committee members for email ballot.
4.6	<b>Reports: 2008/09 AGM and Oct 23-24/09 Board Mtg</b>	Robin volunteered to write the Committee’s 2008/09 Annual Report for the October 23 Annual General Meeting and the report for the October 23-24, 2009 Board meeting. Fern will send templates.
5	<b>Next Meetings</b>	The next in-person meeting will be planned for spring 2010; teleconference meetings will be scheduled as needed to manage new complaints.
6	<b>Announcements</b>	
7	<b>Adjournment</b>	The meeting was adjourned at 1:30pm.