

**MINUTES**  
**VIDEOCONFERENCE MEETING OF COUNCIL**  
**ALBERTA COLLEGE OF PHARMACY**  
**Thursday December 15, 2022**

**1. Introduction**

**1.1 Call to Order**

President Pfeiffer called the meeting to order at 8:04 a.m. She recognized the ancestral lands of indigenous people on which Council gathered virtually. Joining council discussions were Bill Shores and Annabritt Chisholm, with Shores Jardine LLP, for a discussion about the cross-jurisdictional agreement and standards, Melissa Dechaine, Competence Committee Chair and Pamela Timanson, Director of Competence for their semi-annual report, and Scott Ponich from TD Waterhouse to address the EL-6 Investments compliance report. Evan Carson from TD Waterhouse attended as an observer.

President Pfeiffer asked Council Members to reflect on governance policy GP-8 Code of Conduct and consider any potential conflicts of interest they may need to disclose. No conflicts were disclosed.

**1.2 Roll Call**

Registrar Eberhart called the roll and identified the following individuals in attendance:

- District 1 - Peter Macek (Past-President)
- District 2 - Patrick Zachar (President-Elect)
- District 3 - Fayaz Rajabali
- District 4 - James Frobb
- District 5 - Shereen Elsayad
- District A - Laura Miskimins
- Public Member - Irene Pfeiffer (President)
- Public Member - Christine Maligec
- Public Member - Carmen Wyton
- Public Member - Deb Manz

Absent

- District B - Dana Lyons
- Public Member - Jane Wachowich (Executive-Member-at-Large)
- Public Member - Jason West

Also in attendance

- Greg Eberhart - Registrar
- Kaye Moran - Deputy Registrar
- Jeff Whissell - Deputy Registrar
- Rob Vandervelde - Senior Operations and Finance Director
- Leslie Ainslie - Executive Assistant
- Barry Strader - Communications Director
- Bill Shores - Shores Jardine LLP (8:30-9:11 a.m.)
- Annabritt Chisholm - Shores Jardine LLP (8:30-9:11 a.m.)
- Melissa Dechaine - Competence Committee Chair (9:56-10:19 a.m.)
- Pamela Timanson - Competence Director (9:56-10:19 a.m.)
- Scott Ponich - TD Waterhouse (10:58-11:28 a.m.)
- Evan Carson - TD Waterhouse (10:58-11:28 a.m.)

### 1.3 Invocation

Councillor Miskimins read the council invocation.

### 1.4 Adoption of the Agenda

#### 1.4.1 Consent Agenda

Registrar Eberhart provided a Policy report and an Information Update report for Council's review and approval. President Pfeiffer invited questions; however none arose.

##### 1.4.1.1 Policy Report

##### 1.4.1.2 Update Report

**OMNIBUS MOTION:** to approve the Policy Report and Information Update Report presented by the Registrar.

Moved by **Christine Maligec**/Seconded by **Deb Manz**/CARRIED

#### 1.4.2 Additions to the Agenda

There were no additions to the agenda.

### 1.5 Minutes from Previous Meetings

#### 1.5.1 Minutes – September 28-30, 2022 Meeting

**MOTION:** to approve the minutes from the September 28-30, 2022 meeting as circulated.

Moved by **Deb Manz**/Seconded by **Carmen Wyton**/CARRIED

#### 1.5.2 Minutes – November 17, 2022 Special Meeting of Council

**MOTION:** to approve the minutes from the November 17, 2022 special meeting of council as circulated.

Moved by **Laura Miskimins**/Seconded by **Christine Maligec**/CARRIED

### 1.6 Disposition of Directives

The Disposition of Directives were provided for information. President Pfeiffer invited questions; however, none arose.

**MOTION:** to accept the Disposition of Directives from the September 28-30, 2022 council meeting as information.

Moved by **Christine Maligec**/Seconded by **Patrick Zachar**/CARRIED

### 1.7 In Camera

NIL

## 2. Generative

2.1 NIL

## 3. Strategic

### 3.1 Policies to Support Cross-Jurisdictional Agreement

The proposed Pharmacy Practice Cross-Jurisdictional Agreement is an agreement between the Pharmacy Regulatory Authorities (PRAs) across Canada to support the governance and regulation

of pharmacy services that transcend jurisdictional boundaries. This is important because professions are regulated provincially, and legislation, authorities, and processes differ. ACP legal counsel Bill Shores and Annabritt Chisholm, joined Council to discuss next steps for moving forward with the execution of the Pharmacy Practice Cross-Jurisdictional Agreement, as a result of Government of Alberta legislative counsel taking the position that legislative amendment was required. Mr. Shores and Ms. Chisholm met with Alberta Health Legal Services staff and provided Council with a “Privileged” summary of this discussion.

ACP is one of only a few jurisdictions that has not executed the agreement. There are risks to not signing the agreement. Other jurisdictions may not require their members providing services into Alberta to uphold ACP’s Standards of Practice based out of concern that ACP will not reciprocate this requirement. Legal counsel advised that under the current legislative scheme, ACP has broad authorization to govern the profession of pharmacy and the operation of pharmacies, therefore in this context, the Registrar has the authority to sign the agreement. Council agreed and directed the Registrar to sign the Pharmacy Practice Cross-Jurisdictional Agreement. In doing so, Registrar Eberhart will advise the Minister of Council’s direction.

**MOTION:** to direct the Registrar to sign the Pharmacy Practice Cross-Jurisdictional Agreement.  
Moved by **Fayaz Rajabali**/Seconded by **Peter Macek**/CARRIED

### **3.2 Consequential Amendments to the Bylaws (Bill 46)**

At its September 2022 meeting, Council approved amendments to ACP’s bylaws for the purpose of consultation. Registrar Eberhart summarized the consultation feedback received. Council approved the amendments to the bylaws to come into effect upon the relative sections of Bill 46 being proclaimed and coming into effect. Registrar Eberhart provided a summary of the feedback received. Based on the feedback, he recommended that section 28(1) of the *Act*, be further amended in the bylaws by incorporating the words “at least” before the dollar amount of liability insurance as many regulated members carry more than the minimum amounts stated.

**MOTION:** to approve amendments to the bylaws arising from Bill 46, including the supplementary amendment arising from consultation as recommended by the Registrar, to come into effect upon the relative sections of Bill 46 being proclaimed and coming into effect.  
Moved by **Deb Manz**/Seconded by **Laura Miskimins**/CARRIED

### **3.3 Consequential Amendments to Standards of Practice for Pharmacists and Pharmacy Technicians (Bill 46)**

At its September 2022 meeting, Council approved consequential amendments to the Standards of Practice for Pharmacists and Pharmacy Technicians resulting from Bill 46, for the purpose of consultation. Deputy Registrar Jeff Whissell summarized the feedback received for Council and identified supplemental amendments arising from the consultation. He advised that some of the recommendations received will be considered when the new Standards are presented to Council in January.

**MOTION:** to approve the amendments to the Standards of Practice for Pharmacists and Pharmacy Technicians including the supplemental amendments arising from consultation to come into effect upon relative sections of Bill 46 being proclaimed and coming into effect.  
Moved by **Deb Manz**/Seconded by **Christine Maligec**/CARRIED

### **3.4 Standard on Preventing Genital Mutilation arising from Bill 10**

On May 31, 2022, the *Health Professions (Protecting Women and Girls) Amendment Act, 2022* (Bill 10) received royal assent and came into force. The *Act* requires that regulatory colleges develop standards of practice respecting female genital mutilation, and these must be adopted by May 31, 2023. At its September meeting, Council approved amendments to the Standards of Practice for Pharmacists and Pharmacy Technicians for the purpose of consultation. Deputy Registrar Jeff Whissell summarized the feedback received.

**MOTION:** to approve amendments to the Standards of Practice for Pharmacists and Pharmacy Technicians respecting Female Genital Mutilation arising from Bill 10, to come into effect May 31, 2023.

Made by **Peter Macek**/Seconded by **Patrick Zachar**/CARRIED

## **4. Fiduciary**

### **4.1 ENDS and Executive Limitation Policies and Reports**

#### **4.1.1 EL- 3 Financial Planning - DRAFT 3-Year Business Plan and Budget 2023**

Registrar Eberhart and Senior Director of Operations and Finance Rob Vandervelde presented the final budget for 2023 and estimates for 2024 and 2025.

The budget and business plan allow ACP administration to effectively address its strategic goals and operational responsibilities while positioning the college to be sustainable and relevant in the future. As reported previously, the budget contemplates deficits over the next two years to fund implementation of the strategic plan and operational responsibilities. ACP is forecasted to return to a balanced budget in 2025.

The current budget deficits achieve the objective of redirecting the one-time surplus that ACP built up through the pandemic back into its operations. Following are key changes to the 2023 budget since Council's review in September.

- Incorporating a higher expected surplus from 2022 of \$450,000 based on latest projections, which increases the starting balance of the operating reserve.
- Setting the pharmacy fee guide increase and the salary grid adjustment at 4.0% as the projected inflation rate rose to 6.7%.
- A combined revenue increase of \$91,000 in 2023 based on the following changes:
  - Small changes in the demographic projections that increase registrant and pharmacy income,
  - Increases to investment income projections to account for higher interest rates,
  - Reductions to anticipated legal fee recoveries given the recent court ruling limiting ACP's ability to recover costs.
- A combined expense increase of \$112,000 with the following as the largest contributors:
  - Increases to the Communications budget to fund website redevelopment,
  - Increases to the Operations budget for records management support, and extension of Business Analyst contracts through to MyACP launch,
  - Higher amounts budgeted for advisory committee work to support Strategic Objective 3.1 and redesign of the Structured Practical Training program.
- In total, direct spending for Strategic Plan implementation in 2023 increased only slightly by \$11,000.

- The combined effect of the changes are higher deficits in 2023 and 2024, and a lower surplus in 2025. As a result, the total dip into reserve levels over the period amounts to \$1,052,000 compared to \$942,000 in the draft budget.
- However, given the higher starting point for reserves due to the higher anticipated 2022 surplus, the projected ending operating reserve is essentially unchanged, still at 5 months of operating expenses.

In his report to Council, Senior Director of Operations and Finance Rob Vandervelde, identified risks that could impact the budget and the longer term forecast. Three of the largest risks from last year have largely subsided: the risks around increasing complaints and hearing costs which have not materialized, the risk of the pandemic negatively impacting program delivery and staff well-being, and the risk of the MyACP system not fulfilling functional requirements. Risks remain around the continued implementation of the strategic plan. These include:

- Capacity – the MyACP project continues to place significant demands on all staff as we proceed towards launch. As well, staff are balancing ongoing operational duties with new development work for redrafting standards, redesigning the SPT program, and developing licensee competencies. ACP is mitigating these risks by securing contract staff positions, managing priorities and shifting timelines as required.
- Partnership – Much of the work relies on developing new partnerships. ACP is working with the University of Alberta and other regulators to help set direction for the SPT and bridging programs.
- Legal and regulatory risk – ACP remains at risk of a changing government agenda and forthcoming elections that could introduce other new priorities. ACP has engaged governmental affairs support and has budgeted for a policy analyst position to assist with monitoring and influencing legislative change. As well, ACP faces and is providing input to a judicial review that will help shape the future direction of the bridging program.
- Registrant risk – ACP continues to manage expectations among registrants concerning the Practice Improvement Program (PIP). ACP has deferred implementation of MyACP and new standards to 2023. All changes with significant impact on external registrants will require careful coordination, communication and change management.

ACP's operational and restricted reserves continue to provide a financial cushion to the risks presented to Council. Council approved the 2023 budget, business plan and the Schedule of Fees for the 2023-24 fiscal year.

**MOTION:** to approve the 2023 budget, estimates for 2024 and 2025, and the 3-year business plan as per governance policy EL-3 Financial Planning.

Moved by **Christine Maligec**/Seconded by **Peter Macek**/CARRIED

**MOTION:** to approve the Schedule of Fees for the 2023-24 fiscal year.

Moved by **Christine Maligec**/Seconded by **Shereen Elsayad**/CARRIED

#### **4.1.2 E-2 Resource Allocation**

This was addressed concurrently with Agenda Item 4.1.1. The policy will be amended to reflect Council's approval of the Priorities for 2023 and the Schedule of Fees for the 2023-24 fiscal year.

#### **4.1.3 GP-7 Council and Committee Expenses**

This was addressed concurrently with Agenda Item 4.1.1. Council approved an amendment to the policy to reflect the approved Council and Committee Expense Schedule for 2023. Further, Council approved amendments they had requested to the policy to include public members. These amendments align with the Government of Alberta's reimbursement policy for public members appointed by the Minister.

**MOTION:** that governance policy GP-7 Council and Committee Expenses be amended as proposed to include all council members, and amendments to per diems, honorariums, and expenses as approved with the budget for 2023.

Moved by **Peter Macek**/Seconded by **Laura Miskimins**/CARRIED

## **4.2 Compliance Monitoring and Reports**

### **4.2.1 Executive Limitations (EL)**

Reports from the Registrar were provided for the following Executive Limitation policies.

#### **4.2.1.1 EL-4 Financial Condition - Internal**

Council received financial results and statements of variances for January 1–October 31, 2022. In addition, the report provided the semi-annual update on ACP's strategic plan process.

**MOTION:** that the Registrar's compliance report on EL-4 Financial Condition of the College be approved.

Moved by **Deb Manz**/Seconded by **Fayaz Rajabali**/CARRIED

NOTE: Council requested that Registrar Eberhart communicate with Registrants about receiving practice permits and any available and relevant updates about the new registrant portal.

#### **4.2.1.2 EL-6 Investments**

Scott Ponich, ACP's appointed investment counsel with TD Waterhouse, provided his annual report to brief Council about the status of the College's investment portfolio and how ACP has complied with its investment policy.

**MOTION:** to approve the external report from ACP's investment counsel for compliance with governance policy EL-6 Investments.

Moved by **Peter Macek**/Seconded by **Deb Manz**/CARRIED

#### **4.2.1.3 EL-5 Insurance**

**MOTION:** that the Registrar's compliance report on EL-5 Insurance be approved.

Moved by **Deb Manz**/Seconded by **Peter Macek**/CARRIED

#### **4.2.1.4 EL-8 Conflict of Interest**

**MOTION:** that the Registrar's compliance report on EL-8 Conflict of Interest be approved.

Moved by **James Frobb**/Seconded by **Christine Maligec**/CARRIED

**4.2.1.5 EL-13 Information Management**

**MOTION:** that the Registrar’s compliance report on EL-13 Information Management be approved.

Moved by **Deb Manz**/Seconded by **Fayaz Rajabali**/CARRIED

**4.2.2 Governance Policies (GP) Reports**

Governance Policies (GP) define how Council conducts itself. Council reviewed the following governance policies, reflecting on its compliance with each policy.

**4.2.2.1 GP-1 Global Governance Process**

**4.2.2.2 GP-2 Serving the Public Interest**

**4.2.2.3 GP-3 Governing Style**

**4.2.2.4 GP-4 Council Responsibilities**

**4.2.2.5 GP-5 President’s Role**

**4.2.2.6 GP-6 Council Committees**

**OMNIBUS MOTION:** that Council is in compliance with Governance policies GP-1 Global Governance Process, GP-2 Serving the Public Interest, GP-3 Governing Style, GP-4 Council Responsibilities, GP-5 President's Role and GP-6 Council Committees.

Moved by **Laura Miskimins**/Seconded by **Fayaz Rajabali**/CARRIED

NOTE: The Governance Policy Review Committee will review the Governance policies in the 2022-2023 council term to ensure they reflect the new council structure and are relevant to both elected and appointed council members. Further, Council considered if there was value to sharing some of the governance policies with registrants, so they understand the roles and responsibilities of Council.

**4.2.3 Council-Registrar Relationship Policies (CR)**

Council-Registrar Policies (CR) define the working relationship between the Council and the Registrar. Council reviewed policy CR-1 Global Council-Registrar Relationship, CR-2 Direction from Council and CR-3 Accountability of the Registrar, and in doing so reflected on its compliance with the policies

**4.2.3.1 CR-1 Global Council-Registrar Relationship**

**4.2.3.2 CR-2 Direction from Council**

**4.2.3.3 CR-3 Accountability of the Registrar**

**OMNIBUS MOTION:** that Council is in compliance with Council-Registrar policies CR-1 Global Council-Registrar Relationship, CR-2 Direction from Council, and CR-3 Accountability of the Registrar.

Moved by **Patrick Zachar**/Seconded by **James Frobb**/CARRIED

**4.3 Report from the Competence Committee**

Melissa Dechaine, ACP Competence Committee Chair, and Pamela Timanson, ACP Competence Director, provided the semi-annual report to Council, providing a review of the Committee’s activities and trends observed. They provided Council with an overview of the audit process of the Continuing Competence Program for Pharmacists and results over the past four Continuing Education (CE) cycles.

The Committee observed that:

- There has been significant value to updating the algorithm for the Continuing Competence Program (CCP), including the addition of the Practice Improvement Program (PIP). The new algorithm makes it easier for the Committee and Competence team members to see pathways within the programs processes.
- The development of an “ongoing chart summary” helps show the action(s) the Committee has prescribed. It provides a record of precedence from previous cases promoting consistency in prescribed actions and learnings.
- The experience and unique skill set of the Committee Members has improved the efficiency of the Committee and enabled cases to be closed sooner.
- There continues to be poor communication/engagement by some registrants.
- Documentation continues to be inconsistent and lacks quality.

To address the concerns that are noted above, the Competence Committee will:

- Implement a new competence assessment – virtual practice.
- Provide directed peer coaching.
- Operationalization the Practice Improvement Program.
- Update the documentation and assessment modules.

#### **4.4 Highlights from the Registration/Competence Portfolio**

Deputy Registrar Moran shared insights from the Registration and Competence portfolios and, provided an environmental scan to support Council’s stewardship of pharmacy practice in Alberta. She referred Council to the briefing document included with the agenda materials for details.

#### **4.5 Highlights from the Professional Practice/Complaints Portfolio**

Deputy Registrar Whissell shared highlights from the professional practice and complaints portfolio. He referred Council to the briefing document included with the agenda materials for details.

#### **4.6 Council Review Decisions**

##### **4.6.1 Pharmasave Chappelle Pharmacy, License Number 3606, Dr. Arulmozhi Kandasamy, License Number 10906, Uma Arulmozhi, License Number 9935**

A copy of the Council Review decisions was provided to Council for information.

##### **4.6.2 Ashraf Mikhail, Registration Number 7344**

A copy of the Council Review decision was provided to Council for information.

**MOTION:** to accept the reports from the Council Reviews as information.

Moved by **Christine Maligec**/Seconded by **Patrick Zachar**/CARRIED

### **5. Evaluation of Meeting**

President Pfeiffer asked Council to consider the following questions as they reflected on their personal and collective performance during this meeting:

- Did I have the information required and how prepared was I to contribute to discussion about each agenda item?
- How effective was I in participating in the meeting deliberations? Did I seek to understand others, or did I state and take positions on issues?

- How effective was Council in focusing on governance vs administrative issues?
- How effective was Council in focusing on the impact of pharmacy services on Albertans?
- Relatively speaking, was most of our discussion focused with the future in mind?

Council commented and raised questions as follows:

- Council Members felt there was the right balance of advance information in the documents posted and through the presentations at the meeting.
- Council Members appreciated the convenience of the Master Council Package.
- Council felt there was ample opportunity to discuss each agenda item.
- Council valued the comments and insights from Registrar Eberhart.
- Council Members inquired how to best communicate issues to be discussed at council meetings. Council Members were advised to use the Council Issue Sheets. These are reviewed by the Executive Committee. The Committee considers if the matter can be addressed directly or discussed by Council as a whole at a future council meeting.
- Council thanked ACP administration for their support.

President Pfeifer expressed her gratitude to Council for their comments and engagement over the past six months. She wished everyone blessings during the holiday season.

## **6. Adjournment**

### **6.1 Forthcoming Events and Council Meeting Dates**

#### **2023**

- January 25-26 - Council Meeting, Edmonton
- April 27 - Videoconference Meeting of Council (half day)
- June 13-14 - Council Meeting, Edmonton
- June 14 - Celebration of Leadership/Installation of President
- June 14-16 - ACP Leadership Forum (EC Members only)

### **6.2 Adjournment**

The business meeting of council adjourned circa 12:10 p.m. on Thursday, December 15, 2022.