



College of Dental Technologists of Ontario
Ordre des Technologues Dentaires de l'Ontario

June 30, 2021

Sean Court
Assistant Deputy Minister
Strategic Policy, Planning & French Language Services Division
Ministry of Health
438 University Avenue, 10th floor
Toronto ON M7A 2A5

Dear Sean Court:

RE: Governance Reform and Potential Burden Reduction

On behalf of the College of Dental Technologists of Ontario (CDTO), I would like to express our gratitude for the opportunity to provide input on governance reform. CDTO commends the Ministry of Health's work to introduce new frameworks for oversight and regulatory accountability, including the College Performance Measurement Framework and the *Advancing Oversight and Planning in Ontario's Health System Act, 2021*.

In our response to your request, we:

- Ensure that any recommendations made will not weaken our accountability to the public and the delivery of our mandate, to act in the public interest;
- Propose governance modernization, burden and red-tape reduction recommendations that will only require changes to the Health Professions Procedural Code (the "Code"), profession-specific acts and their associated regulations; and
- Have not proposed changes to scopes of practice which will be addressed at a later time.

In our December 2019 letter to the Ministry, we expressed our position on the College of Nurses of Ontario's Vision 2020 for modernizing regulatory governance in Ontario. Council was asked to re-evaluate its position at its June 25, 2021 Council meeting based on the experiences and events that have taken place since its submission. Although much of what we provided in the initial letter has not changed, we have reiterated our position in the first six recommendations.

1. Reducing the size of Council.

CDTO operates effectively at a Council size of 12 to 13 members. The smaller size supports effective and nimble decision-making, teamwork, participation, and communication amongst other valuable qualities. As a Council, we continue to support boards of smaller sizes and are in agreement with the board size range of 8 to 12 representatives as suggested in the new Health and Supportive Care Providers Oversight Authority.

2. Equal composition of public and professional members on Council.

CDTO appreciates the diversity that both public and professional representatives bring to Council. We support a change to an equal proportion of representation to strengthen public trust, maintain focus on the public interest and increase independence from the profession.

3. Appointing Council members on the basis of competencies.

CDTO recognizes the growing consensus on the value of competency-based appointments as seen in the recent changes to the Ontario College of Teacher's governance structure and the support expressed by other regulatory health colleges.

Competency-based appointments provide the public with the confidence that individuals serving on Council have the knowledge, skills and judgement required to represent the public interest. Appointments also allow Council to consider the specific needs required at a given time and identify the competencies required to meet those needs.

Consideration must be given to smaller registrant pools where competency-based assessments could hinder participation to serve on Council. A hybrid model of minimum pre-requisite competencies and post-appointment gap closing tools (e.g., professional development, mentorship) could be a viable solution. CDTO supports competency-based appointments for all members of Council.

Drawing upon the foundational work completed by the Health Profession Regulators of Ontario, CDTO embarked on an 18-month project in Fall 2020 to ensure that both Council and Statutory Committees have the knowledge, skills and judgement prior to their appointments, as indicated in the College Performance Measurement Framework.

4. Eliminating the requirement for an Executive Committee.

The Executive Committee may exercise the majority of the powers of Council. However, the meetings are not required to be public and decisions may not be perceived as strengthening the accountability of CDTO in meeting its public interest mandate.

Although we have seen the movement towards increased transparency regarding Executive Committee meetings, as outlined in the best practices of the College Performance Measurement Framework, a smaller Council could meet more frequently to absorb the work of the Committee and eliminate duplicative work. CDTO supports the elimination of the Executive Committee to improve transparency and accountability in decision-making.

5. Eliminate overlap between Council and statutory committees.

CDTO recognizes the difference in roles between Council and statutory Committees, oversight and strategic direction versus member and case-specific work. Separation of Council and statutory Committees allows distinct competencies to be sought for its representatives, and independence regarding the different functions and positions. CDTO supports the elimination of the overlap in membership between Council and statutory Committees.

6. Equal compensation for all Council members.

CDTO has ensured that remuneration of members of the profession on Council is equal to those of public appointments. We value equally the diverse competencies of all Council members.

In the College of Nurses of Ontario's letter to the Ministry regarding Vision 2020, it was suggested that all directors be remunerated by the colleges to shift the burden and costs of professional regulation from the Ontario government and taxpayer to the colleges. This could result in a loss of public trust as public representatives are no longer independent of the colleges. Furthermore, as a smaller college with a narrow member funding base, this could put an undue strain on membership contributions.

Since the submission of our letter in 2019, we have seen changes in governance models in other provinces and the impacts of the COVID-19 pandemic. This led us to consider and recommend new opportunities for red-tape and burden reduction.

7. Allow colleges to make rules relating to their core functions.

Due to the COVID-19 pandemic, CDTO was not able to hold registration examinations in 2020 for graduates to challenge in-person practical components. While examinations have been scheduled for 2021, CDTO continues to face challenges due to COVID-19 restrictions. Under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, dental technology is not listed as a specified field or occupation where in-person examinations can be held with up to 50 individuals. Thus, CDTO is restricted to holding examinations with a maximum occupancy of 10 individuals causing significant hardships (e.g., number of examinations held, financial). Inclusion of all regulated health professions under the *Regulated Health Professions Act, 1991* (RHPA) is an important consideration.

Furthermore, CDTO wanted to respond by establishing a temporary class to register dental technology graduates. However, due to the time frame required to make changes to regulation, CDTO could not respond swiftly to the pandemic. This resulted in an increase in the ratio of unregulated dental laboratory associates to supervising dental technologists. Dental technologists are responding to heightened demand, and those impacts are being seen in remote regions and underserved populations.

Regulation changes require significant time and prevent colleges from acting in a nimble manner to serve the public interest. CDTO supports moving regulation-making powers under the Code, including registration and quality assurance, to by-laws or policies. Any changes will continue to be made using right-touch and risk-based approaches.

8. Terminology with respect to Council and the profession.

The terms used in the RHPA and the Code often create confusion in the role of the colleges and its members. Many colleges have adopted the terminology of Board of Directors in place of Council, registrant in place of member, and regulator in place of colleges to support clarity on its functions. CDTO supports modernizing the terminology used to accurately convey the structure and role of the colleges in a consistent manner.

9. Amalgamation of colleges.

Some benefits to amalgamation that have been expressed include providing the public with one point of contact, smaller colleges benefiting from economies of scale, and improved coordination of the health system. In early 2020, CDTO, the College of Denturists of Ontario (CDO) and the College of Dental Hygienists of Ontario (CDHO) entered into a joint dialogue to consider amalgamation with our public interest mandate in mind.

On June 25, 2021, Council voted in favour of entering a Memorandum of Understanding to proceed with planning the amalgamation of the three oral health colleges. A joint letter will be submitted from CDHO, CDO and CDTO providing further information on our work. The Royal College of Dental Surgeons of Ontario is fully informed about amalgamation plans and will continue to be provided with up-to-date progress reports.

All four oral health colleges continue to collaborate on initiatives that focus on the patient (e.g., College Performance Measurement Framework, COVID-19 Unified Document).

Please do not hesitate to contact us should you have any questions. CDTO looks forward to our continued collaboration as a system partner to strengthen public trust in the regulation of health professionals.

Sincerely,

Robert Shawyer

Robert Shawyer, M.A., LL.B.
President

j. rigby

Judith (Judy) Rigby, CPA, CGA
Registrar and CEO

On behalf of the Council of the College of Dental Technologists of Ontario

cc: Allison Henry, Director