



Proposed By-law No. 60

Proposed Changes and Additions

Following is a summary of the proposed changes and additions to proposed By-law No. 60.

General

To improve transparency, an index and 'definitions' section were added and hyperlinks included in proposed By-law No. 60. For the purposes of the draft, hyperlinks to legislation and policies are noted in blue, underlined text but are not yet functional.

Election of Councillors

The Council is the governing body of the CMRTO. The Council is made up of both members of the public, who are appointed by the provincial government and members of the profession, who are elected from the membership.

Members of the CMRTO have an important stake in the key areas for which the CMRTO has responsibility – to ensure the public of Ontario receives safe, effective and ethical medical radiation and imaging technology services according to accepted standards of practice. Council members oversee the affairs of the CMRTO and, through its committees, register members, maintain high standards of professional ethics, monitor standards of practice, manage quality assurance, continuing education and sexual abuse prevention programs for the profession, and administer professional conduct processes all in accordance with legislation.

Council members share collective responsibilities for providing leadership, direction and governance to all members who practise the profession in Ontario. Currently, By-law No. 12 provides for eight elected members of Council. Members vote and are represented on the basis of electoral districts. The term "district" is used to identify both geographic regions and the specialties of the profession. The eight current electoral districts are: District One: Radiography (Northern District), District Two: Radiography (Eastern District), District Three: Radiography (Central District), District Four: Radiography (Western District), District Five: Radiation Therapy, District Six: Nuclear Medicine, District Seven: Faculty Members and District Eight: Magnetic Resonance.

As the CMRTO commenced regulating diagnostic medical sonography as a fifth specialty on January 1, 2018, the new specialty must be integrated into the by-law. Council conducted a workshop to review legal requirements and governance best practices before identifying the proposed new Council composition. Proposed By-law No. 60 provides for 6 electoral districts: one district for each of the five specialties of medical radiation and imaging technology, and one

member-at-large elected from the entire membership. Under proposed By-law No. 60, a faculty member would be appointed from among the members of the College who satisfies the eligibility requirements.

The transition to the new Council composition would occur incrementally over the next three election cycles (2019, 2020 and 2021) and would result in the total number of professional members on Council being reduced by one. This reflects the governance best practice that suggests moving to smaller Council size with a more balanced professional/public ratio. A detailed explanation of the transition can be found in subsection 4.2 of proposed By-law No. 60. The proposed changes and transition provisions ensure will not affect the term of any of the current members of Council. Diagnostic medical sonographers would elect a Council member in their specialty in April 2019. Until the new elected Council member's term starts in June 2019, the two transitional Council members will continue to participate in the Council meetings.

Fee Management

There is no change to the fee structure or amount in proposed By-law No. 60.

In order to increase flexibility for members with respect to fee management, the following changes are reflected in proposed By-law No. 60.

Subsection 26.8 would allow for flexibility in how fees are managed when a member resigns before the date on which their annual fee is due, for example, a maternity leave. The provision provides that the College will bank the remaining portion of the annual fee for future credit if a member resigns their membership in good standing before the date on which their annual fee is due (their birthday). The credit would be applied automatically to a member's annual fee if and when they reinstate, provided that they reinstate within five years of the date of their resignation. The credit available under this section is not a refund – proposed By-law No. 60 does not allow for refunds, which is the same as By-law No. 23.

The proposed amendment to subsection 26.9 adds flexibility with respect to the penalty for late payment of the annual fee. The proposed provision provides a 14-day grace period before a penalty for late payment of fees is imposed. Currently, the late penalty is applied immediately after the member's birthday.

Eligibility Criteria for Election or Appointment to Council and/or Committees

Proposed By-law No. 60 expands the criteria for ineligibility for election or appointment to Council and/or Committees of the CMRTO. Those individuals who are employed by a professional association representing the profession will not be eligible for election. The current by-law disqualified only those who were either directors or officers of professional associations representing the profession.

This addition is in-line with the eligibility criteria set out by other health regulatory Colleges.