

Resolution 6 for EGM

To: MOH, Dep MOH, ExAsst MOH
CCBC Board, Registrar
CCBC Registrants

Extraordinary General Meeting of the College of Chiropractors of BC June 05, 2021 via Zoom

Notice of resolution, MOTIONED BY: Dr. Don Nixdorf

Notice of resolution SECONDED BY: Dr. Shawn Thomas, Dr. Cameron Allan, Dr. Mark Foullong, Dr. Kurtis Fischer, Dr. Bruce Russell, Dr. Michael Foran, Dr. Josh Stehmeier, Dr. Richard Lutz, Dr. John Gordon, Dr. Ahren Roy, Dr. Avtar Jassal, Dr. Sasha Blaskovich, Dr. Doug Price, Dr. Gregg Smillie

Introduction

The following information is presented for the extraordinary general meeting of the College of Chiropractors of BC, via Zoom, June 05, 2021.

British Columbians have the right to choose and receive health services from regulated health professionals. Since 1934 registered Doctors of Chiropractic have served the public by providing chiropractic services throughout the Province. Chiropractic has served the public interest well by performing a significant and important role in promoting, maintaining, and restoring the health of British Columbians. Chiropractic has protected many British Columbians from developing chronic disability. Chiropractic services are recognized as health benefits under the Medical Services Plan, WorkSafeBC, ICBC accident benefits and other provincial programs.

The College is governed by a board of directors composed of registered chiropractors and members of the public. The chiropractor directors are volunteers who are nominated for election by the registrants of the College. The public directors are appointed by the provincial government.

It is the duty of the College “at all times” to “serve and protect the public” and to act “in the public interest.” (Section 16 (1) of the Health Professions Act (“HPA”) In fulfilling this duty, the public directors rely upon the chiropractic directors for assistance and advice in relation to understanding chiropractic. The role of chiropractic directors includes providing necessary and relevant background and briefing information on all aspects of the profession and practice of chiropractic.

Since chiropractic serves the public interest by promoting, maintaining and restoring the health of British Columbians, the College also has a responsibility to promote and enhance collaborative relations and practice with other health professions and organizations. Section 16(2)(k) states the College must:

(k) in the course of performing its duties and exercising its powers under this Act or other enactments, to promote and enhance the following:

(i)collaborative relations with other colleges, regional health boards designated under the Health Authorities Act and other entities in the Provincial health system, post-secondary education institutions and the government;

(ii)interprofessional collaborative practice between its registrants and persons practising another health profession;

(iii)the ability of its registrants to respond and adapt to changes in practice environments, advances in technology and other emerging issues.

Upon review of the public minutes of the directors since 2018 there is the appearance of an apprehension of bias, conflict of interest and apparent failure to perform fiduciary duty. The resolutions are intended to support the Board's governance in fulfilling duty and objects under all enactments through conducting the following:

1. A review to comprehensively identify policy of conflict of interest applicable to directors and staff,
2. Review and publish direct and indirect impact of interprofessional conduct associated with regulatory and related communications,
3. Determine policy for clinical, research, and related professional publications for director, committee, staff, and all related initiatives use in decision making which clearly identifies authorship based on the author's profession and experience thereby ensuring the relevance and applicable credibility of the information be used for decision making and related purpose of directors, committees and staff.
4. Each resolution will also state the directors should undertake a full and comprehensive report on each of the resolutions approved with references to be publicly published and available on the CCBC website.
5. Each published report should include recommendations and any actions to be taken and their timeline. The nature of all resolutions that the participating chiropractic doctors approve should be implemented as worded in each resolution and as bylaw provides.

The following resolutions are recommended to be approved by registrants at the June 05, 2021 EGM. Each resolution is intended to support and assist current and future directors, public and professional, with understanding and meeting the full interpretation and actions arising from section 16 of the HPA.

The minutes of the meetings are the primary source of information which supports the Resolutions. The minutes should reflect broad proactive conduct that serves and protects the public. Regulating the practice of chiropractic in a transparent manner is clearly seen.

However, there is insufficient evidence to demonstrate the duty and objects referenced in Section 16 (1) and (2)(i) through (k) and related legislation have been fulfilled by directors and staff.

Resolution 6

Whereas:

1. Minutes of Board do not appear to record in camera or closed meetings in compliance with governance required in bylaw 13 (5), (6).
2. There is an apprehension of bias by the Registrar, Deputy Registrar, and related committee investigating allegations against directors of the Board which should more appropriately be done independently by the Registrar or other officer of a different regulated health profession.
3. The Registrar and directors of the College have knowingly permitted advertising and marketing of other regulatory college membership not found in provincial legislation implying authority or status that is not achieved by other registrants and inferring expertise associated with disease related conditions.
4. Chiropractors employed in administration, or serving on a board of directors, of chiropractic academic institutions should not be eligible for nomination for election to the board of the CCBC due to conflict of interest. The ineligibility of such registrants as directors of a regulatory College is noted in bylaws of the College of Physicians and Surgeons of BC, BC College of Nurses, Manitoba Chiropractors and College of Chiropractors of Ontario.
5. Elected directors may have been in conflict of interest and failure to perform fiduciary duty by approving motion giving eligible directors financial benefit, not in compliance with prior motion of the board for use of funds, and duty and objects stating post secondary education 16 (k) (i).
6. The directors have refused registrant's request for the public CCBC meetings held 4-5 times per year by Zoom or equivalent to be recorded and available on the CCBC website for up to 1 year

Therefore be it resolved the directors undertake a comprehensive and full examination to include but not limited to Roberts Rules of Order found in bylaw 13, (12), all actions of the board, committee, and staff for transparency, possible apprehension of bias, conflict of interest, and compliance of fiduciary duty. The review and published report with recommendations of and actions to be taken by the Board to be placed on the public CCBC website prior the AGM to be held in 2021.