

ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO

**MINUTES OF THE 401st TELECONFERENCE
MEETING OF COUNCIL**

**Friday, January 24, 2014
6 Crescent Road, Hearings Room, Toronto**

The 401st Meeting of the Council of the Royal College of Dental Surgeons of Ontario was held by Teleconference on Friday, January 24, 2014 at 1:00 p.m.

PARTICIPANTS:

Council Members:

Elected Representatives:

Dr. Elizabeth MacSween	District 1
Dr. David Clark	District 2
Dr. Lisa Kelly	District 3
Dr. John Kalbfleisch	District 4
Dr. Lawrence Davidge	District 5
Dr. Joseph Stasko	District 6
*Dr. Peter Trainor, President	District 7
Dr. Ron Yarascavitch	District 8
Dr. Sven Grail	District 9
Dr. Flavio Turchet	District 10
Dr. Robert Carroll	District 11
Dr. David Segal	District 12

Lieutenant-Governor-in-Council Appointees:

Ms. Kelly Bolduc-O'Hare
Mr. Ted Callaghan
Ms. Beth Deazeley
Mr. Manohar Kanagamany
Ms. Catherine Kerr
*Dr. Edelgard Mahant
Ms. Marianne Park

University Representatives:

Dr. David Mock
Dr. Richard Bohay

University of Toronto
University of Western Ontario

Regrets:

Mr. K.S. Joseph
Ms. Evelyn Laraya
Mr. Jose Saavedra
Mr. Abdul Wahid

Public Appointee
Public Appointee
Public Appointee
Public Appointee

* = attended the meeting in person.

Royal College of Dental Surgeons of Ontario Staff:

Mr. Irwin W. Fefergrad, Registrar
Ms. Angie Sherban, Executive Assistant

Legal Counsel:

Mr. Alan Bromstein

(1) CALL TO ORDER

Dr. Trainor called the meeting to order at 1:00 p.m. He welcomed Council members and thanked them for making themselves available for the teleconference meeting.

(2) ROLL CALL

The roll call was conducted by Mr. Fefergrad. Nineteen (19) Council members participated via teleconference and two (2) members attended the meeting in person. There were four (4) members that did not participate and a quorum was declared.

(3) NEW BUSINESS

1. Proposed Regulation re: Spousal Exemption

At its November 2013 Council meeting, Council approved, in principle, a proposed Regulation which would allow dentists to treat their spouses. The Regulation was circulated to members and key stakeholders for 60 days for review and comment.

It was reported that the Legal and Legislation Committee reviewed the comments received at its meeting on January 21, 2014. All comments received were in support of the proposed Regulation and the College was commended for its efforts and initiative. The Legal and Legislation Committee did not feel there were any comments received that required it to revisit the proposed Regulation.

There was a brief discussion of Council and the following motion was moved:

MOTION #1:

THAT Council approve a regulation pursuant to clause 95(1)(0.a) of the Health Professions Procedural Code as follows:

Conduct, behaviour or remarks that would otherwise constitute sexual abuse of a patient by a member under the definition of “sexual abuse” in subsection 1(3) of the Health Professions Procedural Code of the *Regulated Health Professions Act, 1991*, shall not constitute sexual abuse, if

- (a) the patient is the member’s spouse; and**
- (b) the member is not engaged in the practice of dentistry at the time the conduct, behaviour or remarks occur.**

AND FURTHER THAT the regulation, if approved, be submitted to the Ministry of Health and Long-Term Care for consideration.

CARRIED
(Unanimously)

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*(Roll Call Taken: In Favour – Bohay, Bolduc-O’Hare, Callaghan, Carroll,
Clark, Davidge, Deazeley, Grail, Kalbfleisch, Kanagamany,
Kelly, Kerr, MacSween, Mahant, Mock, Park, Segal, Stasko, Trainor,
Turchet, Yarascavitch
Opposed – None
Absent – Laraya, Joseph, Saavedra, Wahid)*

There being no further discussion, the teleconference meeting of Council was adjourned at 1:25 p.m. Dr. Trainor thanked Council members for their participation.

SIGNED: _____
Signature of Presiding Officer

Signature of Recording Officer

Date