



Minutes

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Licensing Committee

July 27, 2017

Minutes of a meeting of the Licensing Committee (LIC) held in the offices of the association, 40 Sheppard Avenue West, North York, Ontario, on July 27, 2017 commencing at 3:30 pm.

In attendance:

Licensing Committee Members:

George Comrie, Chair
Bob Dony
Roydon Fraser
Chee Lee
Santosh Gupta
Christian Bellini via teleconference
Ravi Gupta
David Kiguel

Regrets: Barna Szabados, Vice-Chair

Staff: Michael Price, Deputy Registrar, Licensing and Registration
Jordan Max, Manager, Policy
Marsha Serrette, Administrative Assistant

1. **Call to Order and Chair's Remarks**

The meeting was called to order at 3:30 PM.

2. **Approval of the Agenda**

The agenda was accepted as circulated.

3. **Approval of the Minutes of Previous Meetings**

Approval of the minutes of the June 15, 2017 meeting was deferred to the next meeting.

4. **Business Arising from the Minutes**

(a) **Financial Credit Program**

- Deferred to next meeting.

(b) **Chair's request to ARC Chair re academic assessment of applicants with wide recognition in their scope of practice**

The Chair noted he had not received a formal response to his request of the ARC Chair. Barna Szabados advised the Committee that the ARC had discussed the matter and were not prepared to suggest any additional mechanism by which such individuals could demonstrate that they meet the academic requirement for licensure.

(c) **Appeals of academic determinations (Appeals Process / EIT Requirements)**

At the previous LIC meeting Barna Szabados submitted to the Committee a two-page report on the appeal process. The Committee agreed that the Registration Committee (REC) cannot deal effectively with an applicant who does not meet the academic requirements for licensure, because REC lacks the power to rule on any specific licensing criterion in isolation.

The concept was that, if PEO enforced the requirement at Section 20.1 (1) (c) of the Act that applicants for the internship (EIT) program must already have met the academic requirement, then an applicant who had not met the academic requirement could be permitted to request a registration hearing on the Registrar's refusal to admit him/her to the EIT program. The Committee was advised that Ontario is the only Canadian jurisdiction that does not enforce this requirement. *Note that, to implement this proposal would still require an Act amendment to add notice of proposal to refuse admission to the engineering internship program to Section 19.*

The committee concluded that there are two separate but interrelated objectives bound up in this discussion of internship:

- (i) The requirement for an effective mechanism to "appeal" negative academic determinations;

- (ii) The requirement for a more effective and better structured internship program.

Options for addressing requirement (i) include:

- Amend the Act to provide for true appeals of academic (and possibly) experience determinations, independently of the Registration Committee;
- Amend the Act to augment the powers of the Registration Committee to deal with negative determinations;
- Use internship as a gateway, and amend the Act to augment the powers of the Registration Committee to hear notices of proposal to refuse to admit the applicant to internship;
- Use the Provisional Licence as a gateway. (The Registration Committee already has the power to hear a notice of proposal to refuse to issue a Provisional Licence.)

As to requirement (ii), the Chair suggested that the Committee needs to decide:

- Whether or not the engineering internship program should be mandatory for applicants who, at the time of their application for licensure, do not meet all of the requirements for licensure (i.e., are still in the process of demonstrating that they meet them), and if so what the requirements and process for admission to the program should be;
- Whether to encourage [optional] structured internships.

Further discussions will be required before proceeding forward with a recommendation. Roydon Fraser suggested that the ARC establish a subcommittee to look at appeals options, including one developed for the 2010 Act changes by Kim Allen. This issue will be an outstanding item on the agenda.

(d) Previous work on structured internship

Michael Price reported to the committee a brief history / background of structured internship. In June of 2007 Council requested that staff develop a white paper on the structured internship program. This work was done by Gerry Meade, and was presented to Council in January 2008.

Michael has invited Tracy Caruana, P.Eng. - Manager, Engineering Intern Programs to address the committee at a future meeting. He will forward a copy of the white paper and briefing note as background information for the committee to review.

5. Regulation Amendments Process

(a) Process

Jordan Max presented to the Committee, "How to make a Regulation in 8 easy steps." This process was developed by Policy staff for the Legislation Committee. He explained what are regulations, their key elements, and performance standards.

The presentation continued with Jordan Max advising the committee members of the various players/stakeholders and their roles (Council, LEC, Attorney General Office).

At PEO anyone can bring forward a policy proposal that might potentially involve an Act or Regulation change: committees, task forces, Councillors, licence holders, or the Government.

(b) Content for Preliminary Regulatory Impact Assessment

Jordan explained that PEO must provide to the Attorney General's office a Preliminary Regulatory Impact Assessment (PRIA) for the LIC regulation changes that were approved by Council in March. The form must be completed when submitting a possible regulation change as the ministry will need to assess the impact of the regulation change. e.g. cost, social impacts, environment, stakeholders, etc.

All Regulation submissions to the Ontario Government must now include a PRIA. This is a provincial requirement since 2014.

There are 5 different elements to cover. Committees should start using this when working on a proposal. The PRIA asks the questions and takes you through a logical analysis to ensure there are no unintended consequences.

- What regulatory changes are proposed?
- What are the changes meant to achieve?
- Why is regulation the most appropriate approach?
- Could the outcome be met through a policy/ guideline instead?
- What regulatory and non-regulatory options were considered?

In response, Committee members raised the following questions:

- How is PEO internally organized to complete a PRIA?

- Shouldn't the resources required to complete a PRIA be provided from PEO's Policy area instead of the policy proponent?
- Is it sufficient for the policy proponent to provide review and clarification of the policy intents only?
- Has Council approved the process of PRIA since its March, 2014 motion?
- How can the process be made easier?
- At what point in the Reg. Change process should the PRIA be prepared? (If Council is going to reject a proposal, why fill out a PRIA?)

More discussion around what information is needed and how it will affect current licensure changes that are in the works will be required.

6. Review of PSC Draft Guideline on Taking of Responsibility

George Comrie requested that members of the committee review the report on, Assuming Responsibility and Supervising Engineering Work. Feedback is requested to the PSC by August 1, 2017.

7. Structured Internship

- Reviewed under item 4(d).

8. Adjournment

Meeting adjourned at 5:53pm.

Next Meeting: September 21, 2017