

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

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COUNCIL MEETING

2007.03

September 21, 2007

PRESENT:

Dalia Slonim, Psy.D., C.Psych., President
Janice Currie, Ph.D., C.Psych., Vice-President
Clarissa Bush, Ph.D., C.Psych.
Dorothy Cotton, Ph.D., C.Psych.
Gaye Dale, Public Member
Ron Davis, Ph.D., C.Psych.
Christine DiZazzo, M.Ps., C.Psych.Assoc., ex-officio
Mustaq Khan, Ph.D., C.Psych.
Vincent Lacroix, Public Member
Ivan McFarlane, Public Member
Richard Lee, Public Member
Milan Pomichalek, Ph.D., C.Psych.
Cheryl Rampersad, Public Member
Tara Smalley, Public Member
Glenn Webster, M.Ed., C.Psych. Assoc

Regrets: Mary Ann Evans, Ph.D., C.Psych.

Staff:

Catherine Yarrow, MBA, Ph.D., C.Psych., Registrar
Rick Morris, Ph.D., C.Psych, Deputy Registrar
Barry Gang, Dip.C.S., C.Psych.Assoc.,
Director: Investigations & Hearings
Connie Learn, Director: Registration & Administration
Prema Shankaran, Assistant to Registrar: Recorder

Guests:

Mr. Vinay Raja, Auditor, Clarke Henning LLP

2007.03.00

Call to Order

The President called the Council meeting to order at 9:05AM.

2007.03.01

Approval of the agenda:

.01a **It was MOVED Bush
That the agenda be approved as presented.**

CARRIED

- .01b Approval of the Minutes
(1) Minutes of the Open meeting at the Council meeting on June 1, 2007

**It was MOVED Lee
That the Minutes of the Open meeting at the Council meeting
on June 1, 2007 be approved.**

CARRIED

- (2) **IN CAMERA** Minutes
(a) Minutes of the **IN CAMERA** Meeting at the Council meeting on
March 23, 2007

**It was MOVED Dale
That the Minutes of the IN CAMERA Meeting at the Council
meeting on March 23, 2007 be approved.**

CARRIED

- (b) The Council noted that there were no **IN CAMERA** items on the
agenda at the Council meeting on June 1, 2007.

2007.03.02

Approval of the Consent Agenda

Consent Agenda items

It was MOVED Bush

That the Consent agenda items be approved.

CARRIED

2007.03.03

Strategic Issues

- .03a RHPA Amendments: Status Report

On June 4, 2007, Bill 171: Health System Improvements Act, 2007
received Royal Assent.

The Registrar commented that although most of the provisions of the Act will go into effect in June 2009 or earlier when the bill is proclaimed, some provisions have already gone into effect. The Council received a memo from the Registrar with some details on the provisions that are in effect now. The Deputy Registrar is a member of the Federation of Health Regulatory Colleges of Ontario (FHRCO) taskforce established to identify tasks involved in implementing amendments to the RHPA. College Staff are also looking at the implications of the various amendments and will bring recommendations to Committees and Council. An article has been published in the Bulletin about the provisions that are currently in effect and provisions that will go into effect when the Bill is proclaimed.

- .03b New referral from Ministry of Health and Long -Term Care (MOHLTC) to Health Profession Regulatory Advisory Council (HPRAC)

The Health Professions Regulatory Advisory Council (HPRAC) has received a new referral from the Minister, Health and Long-Term Care (MOHLTC) seeking advice on various issues. Of particular relevance to the College are issues such as inter-professional collaboration between health Colleges relating to the development of standards of practice and professional practice guidelines and authority to prescribe by non-physician health profession practitioners. The Council received a copy of the letter from the Minister, MOHLTC to HPRAC. Dr. Milan Pomichalek and the President will work with the Staff in monitoring the HPRAC consultations. HPRAC will also be evaluating the Colleges' Patient Relations programs.

- .03c HPRAC report on Professional title designation issues in Psychology

The Council received a copy of the Health Profession Regulatory Advisory Council (HPRAC) report on Professional title designation issues in Psychology.

The Council noted that the report states that the issue of title is a matter internal to the College of Psychologists and that the College should attempt to resolve outstanding issues and concerns. The Council discussed whether the title issue should be placed on the agenda at the next Council meeting. Some of the issues discussed included the following:

- ongoing problems with third party insurance providers - no space on the insurance forms to indicate Psychological Associate, filling in "Other" causes problems
- impact on membership by possible move of some members to College of Psychotherapists
- communication initiatives to improve public education regarding title

It was MOVED Currie

That a taskforce be appointed to identify the areas of difficulty regarding the title of "psychological associate" and bring a report to the next Council meeting in December 2007.

CARRIED

The following members were appointed to the Taskforce: Dr. Janice Currie, Mr. Glenn Webster, Ms. Christine DiZazzo, Public member Dr. Ivan McFarlane and Staff support.

Action Item CY JC CD GW

to identify the areas of difficulty regarding the title of "psychological associate" and bring a report to the next Council meeting in December 2007

The other members of the Council were encouraged to communicate their views to the taskforce members.

**.03d Association of State and Provincial Psychology Boards (ASPPB)
(1) Annual meeting October 2007: Election to the Board of Directors**

At the Annual meeting of the ASPPB in October 2007, elections will be held for the position of President-Elect and Member-at -Large. The Council received the position statements received from candidates for these positions. The Council directed that the President who is the College delegate to the meeting vote for the candidates based on her view of the candidates at the meeting.

(2) ASPPB Interjurisdictional Practice Certificate (IPC)

The Council received a memo from the Registrar and a copy of the letter from ASPPB regarding the proposed implementation plan for the Interjurisdictional Practice Certificate (IPC). The Registration Committee had previously considered the proposed IPC and expressed the view that the College might accept it and provide a certificate of interim autonomous practice which would allow temporary practice for up to 6 months. As the Registration Committee would not have an opportunity to review the attached materials before the deadline for response, the Council was asked to provide direction for Staff to respond to the ASPPB.

The Registrar confirmed that this would be a certificate of good standing which would have to be renewed yearly or biannually. The certificate recognizes doctoral level practitioners only. There are only a few states in the USA that recognize Masters level practitioners. The Council agreed that it would be better to discuss this issue at the meeting of the Canadian Regulators, Association of Canadian Psychology Regulatory Organizations (ACPRO). The Deputy Registrar is the interim Chair of ACPRO. The Council directed that Chair of Registration Committee, Ms. DiZazzo and the Registrar prepare a submission to the next meeting of the ACPRO and approach ACPRO to see if it can be placed on the agenda.

Action item CB CD CY prepare a submission to the next meeting of the ACPRO re Interjurisdictional Practice Certificate (IPC)

2007.03.04

Policy issues

.04a By-Laws:

(1) By-Law 21: Committee Composition Proposed Amendments

Each year the new Executive Committee makes appointments to all the statutory and standing committees of the College. The appointments to statutory Committees are for a period of one year. For Discipline Committee members, if they have been appointed to a panel which has commenced a hearing, the members continue on the panel for the duration of the hearing although the term of one or more of the panel members may expire during the hearing.

The Registrar provided to the Council proposed amendments to By-law 21: Committee Composition that would address a similar situation for Complaints Committee members whose term on the Committee may expire before the final disposition of the matter that they are considering. Making amendments to By-Law 21 also requires some changes to By-law 5: Committees and the Council received the proposed amendments to By-Law 5 as well.

It was MOVED Cotton

That Bylaw 21 be amended by creating a new subsection 3.(d) to read:

(d) a member of a panel who would otherwise cease to be a member of the Complaints Committee after an investigation of a matter has been commenced by the panel shall continue, for the purposes of concluding that matter, to remain a member of the panel and of the committee until the final disposition of the matter by the committee.

and

That Bylaw 5 Committees subsection 5.11 be amended by the addition of an introductory phrase so that it would read:

5.11 Subject to this provision, subsection 3(d) of Bylaw 21: Committee Composition, or any provision to the contrary in the Code, the Bylaws or the Policies of the College, every appointment to a committee automatically expires at the first meeting of Council following the annual elections.

CARRIED

(2) By-Law 22: Liability Insurance and Registration renewal considerations

The Registrar received legal advice regarding the College's current practice in which the certificate of a member is not renewed if they do not submit the annual practice update form and /or provide

evidence of holding liability insurance. The obligation to carry liability insurance is addressed in By-Law 22.

The legal advice confirmed that while the College can suspend a member for non-payment of fees, it does not have the authority to effectively suspend a member for not providing evidence of carrying liability insurance. There is no provision in registration regulation that allows for a Certificate of Registration which is reinstated after payment of fees but not renewed for failure to provide evidence of carrying liability insurance. Making changes to the Professional Misconduct regulation to include this provision could be a very lengthy process.

It is MOVED Dale

That section 3 of Bylaw 22 be amended to read:

- 3. On or before June 1 of each year, every member described in section 1 shall confirm to the College in writing, normally through the Annual Practice Update Form:**
 - a. that the member has valid existing liability insurance in place; and**
 - b. the name of the insurer providing the liability insurance.**

That section 1 of Bylaw 22 be amended to read:

- 1. Subject to section 5, each member of the College registered with a certificate of registration authorizing autonomous practice, interim autonomous practice or supervised practice shall hold, or otherwise be covered by, professional liability insurance of not less than \$1,000,000.**

That section 4 of Bylaw 22 be amended to read:

- 4. Each member upon being registered for the first time or whose certificate of registration has been reinstated shall, within 30 days of registration, confirm to the College in writing:**
 - a. that the member has valid existing liability insurance in place; and**
 - b. the name of the insurer providing the liability insurance.**

That the title of Bylaw 22 be changed to "Professional Liability Insurance".

CARRIED

The Registrar commented that one of the Colleges had amended their Registration Regulation such that it gives them authority to suspend members who do not carry professional liability insurance and another may be considering moving in a similar direction.

.04b Standard 10.5: Fee Splitting

The Council received copies of correspondence received from 2 members regarding Section 10.5 of the Standards of Professional Conduct with respect to "Fee Splitting".

The term Fee splitting refers to a clause that describes the terms of sharing fees between two members who share the same office space. The Executive Committee agreed that the term is confusing and the terms of the agreement may need to be defined in a clearer manner.

The College Standards were reviewed in 2005 and were circulated to the membership prior to being adopted in September 2005. The Council agreed that there is no specific timeline for reviewing the standards. Any specific issues could be addressed by providing Supplementary Notes.

The Council directed that the College respond to the letters from the members to indicate that the Council discussed Standard 10.5: Fee Splitting and had agreed that no further action was required at this time.

Action Item CY RM respond to member letters re Standard 10.5: Fee Splitting

.04c Report on member consultation on proposed amendments to By-Law 25: Register and Related Matters

The Council had approved proposed amendments to By-Law 25: Register and Related Matters at their meeting on June 1, 2007 and directed that the proposed amendments be circulated to the membership for review and the member responses brought to this Council meeting. The Deputy Registrar confirmed that until the last date of September 14, 2007, no responses had been received from members.

The Council directed that proposed amendments to By-Law 25 : Register and Related Matters be approved.

2007.03.05 Business issues

**.05a Committee Reports
(1) Annual Reports**

The Council received the following Annual Reports for 2006-2007;

Executive Committee
Registration Committee
Quality Assurance Committee
Client Relations Committee
Jurisprudence and Ethics Examination Committee

It was MOVED Webster

That following Annual reports for 2006-2007 be received:

**Executive Committee
Registration Committee
Quality Assurance Committee
Client Relations Committee
Jurisprudence and Ethics Examination**

CARRIED

(2) Committee Reports from June to September 2007

The Council received reports from the Registration Committee and Complaints Committee on Committee activities from June to September 2007.

It was MOVED Dale

That Registration and Complaints Committee reports from June to September 2007 be received.

CARRIED

The Chair of the Fitness to Practice Committee reported that the Committee had not held any meetings from June to September 2007.

.05b Financial

(1) Audited Financial Statements for the year ending May 31, 2007

(a) Presentation of the Audited Financial Statements by the Auditor
The President welcomed Mr. Vinay Raja, Auditor, Clarke Henning LLP to the Council meeting and invited him to present the Audited Financial Statements for the year ending May 31, 2007 to the Council.

Mr. Raja confirmed that the FAC had reviewed the draft Audited Financial Statements at their meeting on September 11, 2007.

Mr. Raja discussed the following documents that had been provided to Council:

Independence letter
Audit Findings Report
Draft Financial Statements 2006-2007

Mr. Raja explained that the Independence letter is to establish that the College and the Auditing firm are independent of each other during the period from June 1, 2006 to May 31, 2007 in accordance with the Canadian generally accepted accounting principles.

Draft Financial Statements:

Mr. Raja congratulated the College on a very clean audit and said that the audit went well and no adjustments were required. There were no unusual transactions and no issues that needed to be discussed with the management. The College is in a very healthy financial position and has a surplus of over \$400,000 at the end of the financial year 2006-2007.

The Council thanked Mr. Raja for attending the Council meeting and providing a very clear report. The Council also congratulated the Staff on the excellent financial management.

The auditor has provided a one page summary in addition to the detailed the Audited Financial Statements. The Council directed that this summary be included in the College's Annual Report.

(b) Finance and Audit Committee (FAC) report to Council on the Audit

On behalf of the FAC, Dr. McFarlane presented the report on the Audit to Council. The FAC met with the auditor on September 11, 2007 to review the Audited Financial Statements for the year ending May 31, 2007 and recommended to Council that the Audited Financial Statements be approved.

It was MOVED McFarlane

That the Council approve the Audited Financial Statements for the year ending May 31, 2007.

CARRIED

The FAC further recommended that Council approve an amendment to By-Law 23: Professional Corporations to reduce the renewal fee for the Certificate of Authorization for a Professional Corporation to \$350.00 instead of \$500.00.

**It was Moved McFarlane
That By-Law 23: Professional Corporations, s1 be amended to
read (2) the fee for the annual renewal of a certificate of
authorization is \$350.00.**

CARRIED

By-law 23: Professional Corporations with the proposed amendment will be circulated to the membership and brought back to the Council meeting in December 2007 for final approval.

Action Item Staff

to circulate By-law 23 with the proposed amendment to the membership and bring back to the Council meeting in December 2007 for final approval.

There are about 75 professional corporations and the Council directed that in future financial reports, Registration renewal fees and renewal fees for professional corporations be reported separately.

Action item CY

Financial reports; Report Registration renewal fees and renewal fees for professional corporations separately.

The FAC also recommended that Council approve retaining the registration renewal and other fees at the current levels.

**It was Moved McFarlane
That Registration renewal and other Fees be held at the
current levels for 2008-2009.**

CARRIED

(3) Appointment of Auditor for 2007-2008

**It was MOVED McFarlane
That the Auditing firm of Clarke Henning LLP be appointed as
auditors of the College's Financial Statements for the year
2007-2008.**

CARRIED

(2) Variance Report to May 31, 2007
The Registrar provided to Council the Variance Report for the period ending May 31, 2007.

**It was MOVED Dale
That the Variance Report to May 31, 2007 be received.**

CARRIED

2007.03.06
.06a

Other Business

Dates of the next Council meetings

The Council confirmed the following dates for Council meetings:

December 14, 2007

March 28, 2008

June 20, 2008

2007.03.07

Adjournment

There being no further business

It was MOVED McFarlane

That the Council meeting be adjourned.

CARRIED

The Council meeting was adjourned at 11:45AM.



Dalia Slonim, Psy.D., C.Psych., President



Janice Currie, Ph.D., C.Psych., Vice-President

Date: Dec 14 | 07