

COUNCIL MEETING
2011.04
September 23, 2011

PRESENT:

Milan Pomichalek, Ph.D., C.Psych, President
Robert Gauthier, M.Ed., C.Psych.Assoc., Vice-President
Ian D. R. Brown, Ph.D, C.Psych.
Abby L. Goldstein, Ph.D., C.Psych
Allyson Harrison, Ph.D., C.Psych
Mustaq Khan, Ph.D., C.Psych.
Jane Ledingham, Ph.D., C.Psych
Lise Mercier, Ph.D, C.Psych
Dalia Slonim, Psy.D., C.Psych.
Glenn Webster, M.Ed., C.Psych. Assoc
Judy Cohen, Public Member
Vincent Lacroix, Public Member
W. Peter McKeegney, Public Member
Ivan McFarlane, Public Member

Regrets:

Ethel Teitelbaum, Public Member
Cheryl Rampersad, Public Member

Staff:

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

2011.04.00

Call to Order

The President called the Council Meeting to Order at 9:05AM and welcomed the observers.

2011.04.01

Approval of the agenda:

The following changes were made to the agenda:

Added:

.06c Status of Psychological Associates on Council

**It was MOVED Brown
That the agenda be approved as amended.**

CARRIED

Later in the meeting,

**It was MOVED Gauthier
That the motion to approve the agenda be reconsidered.**

CARRIED

**It was MOVED Gauthier
That the following additional changes to the agenda be
included and the agenda be reapproved as amended:**

**The Other Business Section 2011.04.06 be renumbered
as follows:**

**Dates for Council meetings in 2012 moved to the end of
the Section as .06d and the following items Moved or
Added under the Other Business section:**

**Added: .06a Status of Psychological Associates on
Council**

Moved: .02b(5) Staff Presentations to .06b

**Added;
.06c Barbara Wand Symposium**

CARRIED

.01b Minutes:
(1) Minutes of Council Meeting 2011.02 on June 17, 2011

**It was MOVED Mercier
That the minutes of the Council meeting 2011.02 on June 17,
2011 be approved as presented.**

CARRIED

Review of the Action List:
The Council reviewed the Action List.

**Action List item: CY to bring a recommendation to Council regarding
providing Council materials in an electronic format**

The Registrar asked that the Council direct Staff to find the
most cost effective, secure and appropriate method of providing
materials to the Council meetings.

(2) Minutes of the **IN CAMERA** meeting at the Council Meeting 2011.02 on June 17, 2011

The Minutes of the **IN CAMERA** meeting at the Council Meeting 2011.02 on June 17, 2011 will be provided to the Council meeting on December 9, 2011 for approval.

(3) Minutes of Council Meeting by teleconference 2011.03 on July 6, 2011

**It was MOVED Mercier
That the minutes of the Council meeting by teleconference
2011.03 on July 6, 2011 be approved as presented.**

CARRIED

Business arising from Minutes:

Line 120: In response to a question about why certificates are being changed, the Registrar said that the newly approved amendment to By-law 24 requires that the highest degree be shown on the Certificate. Members whose certificates are being replaced are sent a Postage Paid envelope to return the previous certificate when a new certificate is issued.

2011.04.02 Consent Agenda items

**It was MOVED Brown
That the Consent agenda items be approved.**

CARRIED

2011.04.03 Strategic Issues

.03a Strategic Direction: Update
The President asked the Vice-President to take the Chair and reported that the Strategic Direction Steering Committee met by teleconference on September 14, 2011 to discuss the feedback received in response to the member consultation on the draft Mission and Vision statements. As a result, no change was proposed to the Mission Statement but the Vision Statement was revised.

**It was MOVED Mercier
That the Mission and Vision statements be accepted.**

CARRIED

The Council agreed that the Mission and Vision Statements be provided in French as well. The President resumed the Chair at the end of this discussion.

2011.04.04

Policy issues

.04a Report from the Task Force on Shaping the Future of Regulation of Psychology in Ontario

The Council received a report prepared by Mr. Gauthier a member of the Task Force on Shaping the Future of Regulation of Psychology in Ontario respecting the meeting held on September 8, 2011. The Task Force met to review the submissions received by the College in response to the proposed amendments to Registration Regulation which were approved by Council for circulation to Stakeholders at the Council meeting by teleconference on July 6, 2011. Two separate sets of regulation amendments were reviewed and approved for circulation:

(1) amendments respecting labour mobility, academic and other non-exemptible requirements

(2) amendments to close the class of masters level Psychological Associate registration and to register current Psychological Associate members as Psychologists,

The full text of the submissions was provided to all Council members in an electronic format.

The report summarized the comments and concerns expressed in the submissions. Many of the comments received were regarding the proposed cessation of Masters level registration.

The Registrar provided to the Council a report on the meeting with the Policy Staff at the Ministry of Health and Long-Term Care. The Ministry Staff expressed the opinion that only the amendments dealing with labour mobility would be given top priority and work on the other amendments that deal with cessation of Masters level registration and registering all Psychological Associates as psychologists would be deferred.

Issues raised in the submissions and discussed at the Council meeting:

Service provided by Masters level practitioners – how is it an issue for public safety

Higher level of training necessary and expected to provide psychological services in the changing world

Is there a higher expectation for services provided by a Psychologist as compared to services provided by a Masters level practitioner

The Task Force gathered data on available terminal Masters programs in Ontario and found that there were very few programs that stop at the masters level and many more that go on to a Ph.D. program. The current MA programs do not deliver all the training needed to provide psychological services and completing such a program does not provide the full training to provide psychological services. While assessment may be included in the Masters level training, diagnosis and intervention are typically deferred to the doctoral level training. In the future, it is possible that there may not be many candidates with masters level training seeking registration with the College.

The Council noted that the Office of the Fairness Commissioner has concerns regarding the closing of a class of registration and may not agree to providing a letter of approval for the proposed amendments to Registration Regulation. It is likely that this issue may resolve itself in the future because of lack of Masters programs that train applicants to provide psychological services. The Council noted that applicants registered in another province may be registered at the College with masters degrees. In addition, HPARB may require the College to register applicants with training in areas other than psychology. There was concern that the standards would become lower.

The Registrar suggested that the Council identify the issues that need to be addressed immediately:

Ministry of Health and Long-Term Care will only process the Mobility amendments at this time

Without a letter of endorsement from the OFC, the Ministry of Health and Long-Term Care will not take forward the proposed amendments to Registration Regulations for approval

HPARB is taking a very broad interpretation of the current Registration Regulations

There are some very glaring weaknesses in the current Registration Regulations

In the Registration Regulation amendments that are provided to Council at this meeting, the Mobility amendments and changes to the academic and other non-exemptible requirements have been separated from other proposed amendments. The Registrar will be meeting with the OFC regarding the letter of endorsement for the proposed amendments.

It was MOVED Gauthier

That the report from the Task Force on Shaping the Future of Regulation of Psychology in Ontario be received.

CARRIED

It was MOVED McKegney

That the Council approve the submission of the proposed amendments to Registration Regulation dealing with the “Mobility patch” and academic credentials to the Ministry of Health and Long-Term Care for approval.

CARRIED

All 4 Public members- For

The Council noted two other issues (1) Title and (2) Cessation of Masters level Registration and considered whether to move forward on these issues separately or together or not consider them at this time.

It was MOVED Gauthier

That the Council direct the Task Force on Shaping the Future of Regulation of Psychology in Ontario to prepare regulatory language to effect all members of the College of Psychologists of Ontario to be issued the title of “Psychologist”.

For: 9

Opposed: 3

CARRIED

It was MOVED Gauthier

That the following motion made at the Council meeting 2011.02 on June 17, 2011 be rescinded:

It was MOVED McKegney

That the Council approve recommendation #1 that the College close the masters level class of registration as a psychological associate.

For: 5

Opposed: 4

Abstained: 3

CARRIED

The Registrar commented that rescinding a motion opens the content of that motion to further debate.

**It was MOVED Mercier
That the Council approve that the College close the masters level registration.**

Withdrawn

The Registrar commented that if this motion is carried, there will be new language drafted to the Registration regulation and there will be member consultation on the proposed amendments. If the Council would like the task force to bring further recommendations regarding the Masters level registration it would be better to withdraw the motion and gather further information. The above motion was withdrawn in light of the discussion that followed.

Discussion regarding the motion:

Consequences of closing the masters level registration in view of the OFC comments

Important that the College register qualified applicants

The Council discussed the following motion:

**It was MOVED Harrison
That by the time that the grandparenting period ends, the masters degree would cease to be the entry to practice requirement for registration for autonomous practice as a psychologist.**

**For; 11
Opposed: 1
CARRIED**

The Council directed the Task Force on Shaping the Future of Regulation of Psychology in Ontario to prepare language and draft response to the Office of the Fairness Commission on their concerns about closing the masters level registration. The Registrar

commented that the OFC is prepared to review another draft of the proposed amendments to Registration regulation and the Ministry of Health and Long-Term Care has advised the College to continue discussions with the OFC.

(2) Health Professions Appeal and Review Board (HPARB)
Decisions

This agenda item was discussed previously under .4a(1)

.04b "Titles" Regulation

The Council received the report on the feedback to the proposed "Titles" regulation consultation and noted that all responses were in favour of the proposed amendments.

**It was MOVED Gauthier
That the proposed "Titles" regulation be submitted to the
Ministry of Health and Long-Term Care.**

**CARRIED
All 4 Public members: For**

.04c HPRAC Referral letter

The Council received a copy of the letter to the Health Professions Regulatory Advisory Council (HPRAC) from the Minister, Health and Long Term Care regarding a proposed review of two issues:

Regulation of Physician's Assistants

Zero Tolerance Policy towards sexual abuse in the
Regulated Health Professions Act (RHPA) in the specific
context of treatment of spouses by health professionals

The College had not received a request for consultation from HPRAC on the proposed referral regarding the Zero Tolerance Policy towards sexual abuse in the *Regulated Health Professions Act (RHPA)* in the specific context of treatment of spouses by health professionals. The College is considering appointing a small task force to start a preliminary discussion. The Vice-President indicated his interest in being a member of the task force.

Action Item RG and Staff

**to prepare the College's response to any consultation requested by
HPRAC.**

.04d Policy Development: Operational/Administrative:
Proposed Amendment to Policies

The Registrar commented that the College is in the process of developing some policies to be in compliance with legislative and legal requirements and whether all such policies need to be brought to the Council for approval.

The Council agreed that there should be some criteria to decide what policies are Operational or which relate to Governance. The Council directed that the Staff bring to Council a list of policies related to Governance and the policies that are Operational or Administrative.

Action Item CY **to provide information to Council on whether a Policy is Governance related or whether it is Administrative or Operational**

2011.04.05 Business Issues

- .05a Reports from Committees and Task Forces:
(1) Annual Reports from Committees to Council

**It was MOVED Ledingham
That the Annual Reports from the following Committees be received:**

**Executive Committee
Registration Committee
Discipline Committee
Inquiries Complaints and Reports Committee
Quality Assurance Committee
Client Relations Committee
Fitness to Practice Committee
Final Report on the Jurisprudence and Ethics
Examination 2010-2011**

CARRIED

Committee Reports:

Registration Committee
(a) Committee Activities from June 2011 to September 2011

The Council received a report on the activities of the Registration Committee from June 2011 to September 2011.

(2) Inquiries, Complaints and Reports Committee (ICRC)
Committee Activities from June 2011 to September 2011

The Council received a report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 2011 to September 2011.

- .05b Financial Reports
 - (1) Audit 2010-2011
 - (a) Audited Financial Statements year-ending May 31, 2011
 - (1) Presentation of Audited Financial Statements by Mr. Vinay Raja, Clarke Henning LLP

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, 2011 to the Council. Mr. Raja commented that the FAC had reviewed the draft Audited Financial Statements at their meeting on August 31, 2011.

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

Independent Auditor's Report
Financial Statements for the year ending May 31, 2011

Mr. Raja commented on the new Accounting Standards that are in effect from January 2010. In the Independent Auditor's report, the responsibilities of the Management and the Auditor are described.

The Audited Financial Statements are now dated and signed on the date that Council approves them.

There are new Auditing Standards for not for profit organizations that will be coming into effect on January 2012. The College will not need to adopt International Auditing Standards but can continue to use the Canadian Auditing Standards.

Draft Audited Financial Statements:

Mr. Raja congratulated the College on a clean audit. There were no unusual transactions and no issues that needed to be discussed with the management. The College is in a healthy financial position and has a surplus at the end of the financial year 2010-2011. The College has an Operating Reserve of up to 18 months.

**It was MOVED Lacroix
That the Council approve the Audited Financial Statements for
the year ending May 31, 2011.**

CARRIED

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.

(2) Finance and Audit Committee (FAC) Report to Council on the Audit

The President requested the Vice-President to take the Chair and reviewed the report from the FAC with the Council. The FAC reviewed the Annual Registration Fees and Examination Fees and the financial projections and recommended that there would be no increase in fees for the year 2012-2013.

**It was MOVED Harrison
That the report from the Finance and Audit Committee be received.**

CARRIED

(b) Appointment of Auditor for 2011-2012

**It was MOVED McFarlane
That the auditing firm of Clarke Henning LLP be appointed as the auditors of the College for the year 2011-2012.**

CARRIED

(2) Variance Report to May 31, 2011

The Registrar provided the Variance report for the period ending May 31, 2011 and commented that at the end of the fiscal year, the College had a small surplus instead of the deficit that had been projected. Responding to a question regarding the surplus, the Registrar commented that a small surplus or a small deficit is appropriate for not for profit organizations.

**It was MOVED Lacroix
That the Variance report to May 31, 2011 be received.**

CARRIED

(3) By-Law Amendment: Signing Authority

The Registrar informed the Council that there is a new Staff member at the College serving in the position of Manager: Administration.

The Council received the proposed amendment to By-Law 9: Banking and Finance that includes the Manager: Administration as a Signing Officer.

**It was MOVED McFarlane
That the proposed amendment to By-Law 9: Banking and Finance to include the Manager: Administration as a Signing Officer be approved.**

CARRIED

(4) Clarification of Purpose of Premises Reserve Fund

It was MOVED Brown

That the Premises Reserve Fund be designated for expenses associated with the purchase of new premises or for leasehold improvements expenses in leased premises.

CARRIED

.05c Legal Matters: Update

The President informed the Council that observers would be excused during the discussion of this **IN CAMERA** agenda item.

At the end of the **IN CAMERA** session

It was MOVED Lacroix

That the IN CAMERA session at the Council meeting 2011.04 on September 23, 2011 be concluded and that the Open meeting of Council be resumed.

CARRIED

The Council reported that the College discussed legal advice during the **IN CAMERA** session.

2011.04.06

Other Business

06a Status of Psychological Associates on Council

In response to a question regarding the status of individuals in a Psychological Associate seat on Council should such an individual become registered as a Psychologist under the AIT, the Registrar commented that such an individual will become ineligible to remain in that seat.

Eligibility to run and serve in District 7, psychological Associates is restricted to members holding a certificate of registration as Psychological Associate. The Registrar suggested that any proposed By-law amendment be deferred until proposed regulatory changes take effect.

In response to a question of whether there would be representation on Council for MA psychologists, the Council directed that the Task Force on Shaping the Future of Psychology Regulation in Ontario consider this issue.

.06b Staff Presentations

This Consent agenda item was moved from .02b(5) to .06b for further discussion.

The Council congratulated the Registrar and the Deputy Registrar on their recent publications.

.06c Barbara Wand Symposium

The Deputy Registrar commented that the Barbara Wand Symposium that was planned for Fall 2011 will not be held. It will be scheduled in 2012.

.06d Dates for the next Council meetings

(1) The next Council meeting will be held on December 9, 2011

(2) Proposed dates for Council meetings in 2012

The Council discussed the proposed dates for Council meetings in 2012 and the following dates were confirmed:

- Council Training Day Thursday March 22, 2012
- Council Meeting Friday March 23, 2012
- Council Meeting Friday June 1, 2012

2011.04.07

Adjournment

There being no further business

**It was MOVED Harrison
That the Council meeting be adjourned.**

CARRIED

The Council meeting was adjourned at 2:05PM.

Milan Pomichalek, Ph.D., C.Psych, President

Robert Gauthier, M.Ed., C.Psych.Assoc.,
Vice-President

Minutes approved at the Council meeting by Teleconference on November 18, 2011

Council Meeting 2011.04 September 23, 2011

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