

COUNCIL MEETING
2012.03
June 1, 2012

PRESENT:

Ruth Berman, Ph.D., C.Psych.
Judy Cohen, Public Member
Peter Farvolden, Ph.D., C.Psych.
Robert Gauthier, M. Ed, C.Psych.Assoc.
Abby Goldstein, Ph.D., C.Psych
Allyson Harrison, Ph.D., C.Psych
Mustaq Khan, Ph.D., C.Psych.
Vincent Lacroix, Public Member
Jane Ledingham, Ph.D., C.Psych
Ivan McFarlane, Public Member
Peter McKegney, Public Member
Lise Mercier, Ph.D., C.Psych.
Milan Pomichalek, Ph.D., C.Psych.
Cheryl Rampersad, Public Member
Ethel Teitelbaum, Public Member
Glenn Webster, M.Ed., C.Psych. Assoc.

Staff:

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

2012.03.00

Call to Order

.00a The Registrar called the Council meeting to Order and welcomed new Council members Dr. Ruth Berman, representing District 5 and Dr. Peter Farvolden, representing District 6. The Council congratulated Public members Peter McKegney and Ethel Teitelbaum on their re-appointment to Council and Mr. Glenn Webster on being acclaimed to the Psychological Associate non-voting seat on Council for a second term of 3 years. The Council expressed their appreciation for Dr. Jane Ledingham on her willingness to serve on the Council for a further one year term as the Academic member.

.00b Election of Executive Committee

The Registrar informed the Council that the first order of business is the election of the Executive Committee and confirmed that Council Members had received the Statements of Intent submitted by members interested in running for positions on the Executive Committee. The Registrar requested Mr. Glenn Webster to assist her in conducting the election.

Since two Statements of Intent had been submitted for the position of President, the Registrar invited Council to ask questions of the two candidates, Dr. Milan Pomichalek and Mr. Robert Gauthier, if they wished to do so.

The Registrar conducted the voting for the position of President by secret ballot and after counting the ballots, announced that the first round of voting had resulted in a tie vote for the candidates. The Registrar invited the Council members to ask further questions of the two candidates prior to the next voting. The Registrar conducted the voting for the position of President by secret ballot and after counting the ballots and announced the result of the election.

- Dr. Milan Pomichalek was elected as the President for the year 2012-2013

Since Mr Gauthier had indicated that if he was not elected President he would be interested in serving as the Vice-President, the Registrar announced that

- Mr. Robert Gauthier was elected to the position of Vice-President for the year 2012-2013 by acclamation.

Two Professional Member seats on the Executive Committee:

Since two Professional Members, Dr. Lise Mercier and Dr Mustaq Khan had submitted Statements of Intent for the two Professional Member seats on the Executive Committee, the Registrar declared that

- Dr. Lise Mercier and Dr. Mustaq Khan were acclaimed to the two Professional Member seats on the Executive Committee by acclamation.

Public member seats on the Executive Committee
Since two public members Mr. Vincent Lacroix and Mr. Peter McKegney had submitted Statements of Intent for the two Public Member seats on the Executive Committee, the Registrar Declared that

- Mr. Vincent Lacroix and Mr. W. Peter McKegney were elected to the two Public Member seats on the Executive Committee by acclamation.

The Executive Committee for 2012-2013:
Milan Pomichalek, Ph.D., C. Psych., President
Robert Gauthier, M.Ed., C. Psych. Assoc., Vice President
Mustaq Khan, Ph.D., C. Psych
Lise Mercier, Ph.D., C. Psych
Vincent Lacroix, Public Member
Peter McKegney, Public Member

The Registrar congratulated the new Executive Committee and requested the President, Dr. Milan Pomichalek to take the Chair and conduct the proceedings of Council.

It was MOVED McFarlane
That the ballots used in the election be destroyed.

CARRIED

Council Orientation/Refresher Presentation
The Registrar and the President made a presentation to the Council that was a refresher for returning Members of Council and as a further orientation for new Council Members.

2012.03.01

Approval of the agenda:

The following changes were made to the agenda:

Moved:

Registrar's Reports:

.02a (1) Report from the mid-year meeting of the ASPPB to .05f

.02b(2) Government Relations Report to .05g

.02b(3) ASPPB Activities to .05h

Added:

.05b(5) Policy on Reserve Fund allocations

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

CARRIED

.01b Minutes:

(1) Minutes of Open meeting of Council 2012.02 on March 23, 2012

**It was MOVED Harrison
That the minutes of the Open meeting of Council 2012.02 on
March 23, 2012 be approved as presented.**

**2 Abstained
CARRIED**

(2) Action List Status Report
The Council reviewed the Action List.

**Action Item CY to follow-up with MOHLTC to see if there is any
feedback from the Labour Mobility Coordinating Group (LMCG) regarding
the survey submitted by the College on the unintended consequences of
the AIT**

With respect to the Action item above, the Registrar commented
that no feedback had been received from the Labour Mobility
Coordinating Group (LMCG).

(3) Minutes of the **IN CAMERA** meeting at the Council Meeting
2012.02 on March 23, 2012

**(a) It was MOVED Lacroix
That the minutes of agenda item .05d Legal issues Update
at the IN CAMERA meeting at the Council meeting 2012.02 on
March 23, 2012 be approved as presented.**

**2 Abstained
CARRIED**

**(b) It was MOVED Lacroix
That the minutes of agenda item .05e Registrar's
Performance Review at the IN CAMERA meeting at the Council
meeting 2012.02 on March 23, 2012 be approved as presented.**

**2 Abstained
CARRIED**

2012.03.02

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

CARRIED

2012.03.03

Strategic Issues

There were no Strategic issues for discussion at this Council meeting.

2012.03.04

Policy issues

.04a Proposed Amendments to Registration Regulation

(1) Mobility Amendments

The Registrar provided to the Council a copy of the letter received from Health Force Ontario advising the College that the amendments that the College had submitted to the Ministry of Health and Long-Term Care to bring the registration requirements in compliance with the Ontario Labour Mobility Act (OLMA) were approved and have been filed with the Registrar of Regulations on May 8, 2012. These Registration Regulation amendments were published in the e-laws gazette on May 19, 2012 and are now in force.

(2) Proposed "Titles" Regulation

At their meeting on March 23, 2012, the Council discussed the process for permitting the use of the title "Doctor" by a member of the College who is registered on the basis of a masters degree and who subsequently acquires a doctoral degree. At that meeting, the Council agreed to defer submitting the proposed "Titles" Regulation until a process for evaluation of the doctoral degree could be developed. At this time, the evaluation of the doctoral degree obtained by a masters level psychologist or psychological associate is conducted by College Staff.

The Registrar made some revisions to the proposed "Titles" Regulation which were reviewed by the Executive Committee at their meeting on April 27, 2012. The Executive Committee recommended that the revised version including the changes that were proposed by the Executive Committee be brought to the Council meeting for approval.

The Council reviewed the proposed amendments to the "Titles" Regulation and recommended that for additional clarification, the position of two of the paragraphs in the proposed regulation be rearranged.

It was MOVED Gauthier

That the proposed "Titles" Regulation as amended at the Council meeting be approved for submission to the Ministry of Health and Long-Term Care.

**Carried
All public members in favour**

“Psychotherapist” title

There was no discussion on the proposed “Psychotherapist” title at the Council meeting. At their meeting on April 27, 2012, the Executive Committee agreed to recommend to Council that the College did not need to provide additional criteria for members who provide psychotherapy services or use the title “Psychotherapist” beyond the provisions in the Regulated Health Professions Act (RHPA).

(3) Other Proposed Amendments

The Registrar confirmed that the proposed Registration regulation amendments dealing with Academic Credentials and to remove references to Guidelines will be submitted shortly.

.04b Report from the “Shaping the Future” Task Force

The Council received a report from the Task Force on Shaping the Future of Psychology Regulation in Ontario. The Chair of the Task Force reported that the Task Force met on May 10, 2012.

The Council reviewed the report and commented on the province of British Columbia moving to the doctoral degree for registration as a psychologist and Alberta and Nova Scotia having discussions about moving to the doctoral degree for registration as a psychologist.

The Council noted that it is difficult to find internship positions for all interested candidates and the discrepancy between number of interested candidates and available positions could peak in 2013. Informal internships may not meet CPA criteria for accreditation.

The Task Force is looking at the median age of the profession and the implications of closing the masters level of registration on availability of adequate number of qualified professionals.

The programs that award Masters degrees have confirmed that the masters program is not intended to prepare a candidate for autonomous practice.

It was MOVED McFarlane

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

CARRIED

.04c Bill 41: *Reducing Automobile Insurance Premiums by Eliminating Fraud Act, 2012*

The Registrar provided to the Council a copy of Bill 41, a private member's bill introduced in March 2012 and commented that the Bill has passed second reading and has been referred to the Standing Committee on General Government.

There was concern that this Bill, if it passes, will draw the regulatory colleges into a policing role to investigate fraud which is outside of the mandate and role of the Colleges. The Federation of Health Regulatory Colleges of Ontario (FHRCO) has written to the Minister, Health and Long-Term Care regarding the implications of the Bill. The Council received a copy of the letter from the FHRCO to the Minister. The FHRCO will monitor the progress of the Bill and will seek to make a presentation to the Standing Committee.

Action Item CY

to call the Clerk of the Standing Committee to see whether a date is scheduled for the hearing

The Insurance Bureau of Canada and the Financial Services of Commission of Ontario are concerned that credentials of legitimate health professionals are being used fraudulently in auto insurance claims. The College has been asked to participate in a pilot study which would provide information on billing history to members who work in the auto insurance claims area. This would allow members to identify unauthorized use of their names or Registration numbers in insurance claims. The College has agreed to participate in the pilot study.

.04d Bill 68: *Regulated Health Professions Amendment Act (Treating Spouses); 2012*

The Registrar provided to the Council a copy of Bill 68: *Regulated Health Professions Amendment Act (Treating Spouses); 2012* a private member's bill that was introduced in April 2012 and has passed 1st reading. The proposed amendment to the Health Professions Procedural Code relates to the treatment of spouses by health professionals.

The Ontario Dental Association is concerned that this bill impacts the ability of their members to provide treatment to their spouses. At the Council training session in March 2012, this issue was discussed by Mr. Tim Corcoran, Chair of the Health Profession Regulatory Advisory Council (HPRAC). At this time, HPRAC is in the process of providing advice to the Ministry of Health and Long-Term Care on the issue of whether there should be an exception to the mandatory revocation provision in the case of health professionals providing treatment to their spouses.

.04e Privacy Code

The Deputy Registrar provided to the Council proposed amendments to the Privacy code that the Council had approved in 2004 to be in compliance with Provincial privacy legislation. Since that time, there have been amendments made to the Regulated Health Professions Act (RHPA) regarding maintenance of confidentiality and disclosure of confidential information.

At this time, the College has been asked by e-Health Ontario to upload information about members to a Provider Registry. The College has agreed to upload information that is available on the public register. E-health would like information on Gender and Date of Birth so that they can identify a unique provider. The College does not currently provide this information to the public. At this time, e-Health has agreed that this information need not be provided.

Action Item CY

to contact the lead policy individual in e-Health Ontario

The Deputy Registrar commented that to disclose information about gender and date of birth, the College would have to amend the Privacy code and also By-Law 25: The Register. The Privacy Code would clarify what member information is disclosed by the College and By-Law 25: The Register states the authority of the College to disclose specific information. The By-Law amendment would need to be in place before making the amendments to the Privacy Code.

The Council directed that the Registrar ensure that any contract entered into with e-Health Ontario protects the privacy of College members in any transfer of information for establishing and maintaining the e-Health Provider Registry. The Council suggested adding the following sentence to the proposed amendment to the Privacy Code:

- To provide information necessary for the establishment and maintenance of the e-health provider Registry.

It was MOVED Harrison

That the proposed amendments to the Privacy Code be approved as amended at the Council meeting.

CARRIED

2012.03.05

Business issues

.05a Reports from Committees and Taskforces:

(1) Registration Committee

(a) The Council reviewed a report on the activities of the Registration Committee from March 23, 2012 to June 1, 2012.

The Registration Committee reported that a larger number of cases are being reviewed at each meeting resulting in longer meetings. In response to a suggestion of whether a third panel may help in distributing the caseload, Registration Committee members on the Council commented that when the proposed changes to the registration regulation are approved and in place, the caseload may become lighter.

The Council discussed whether there should be any changes in the current process with respect to permitting the use of the title "Doctor" by a masters level psychologist or psychological associate who subsequently acquires a doctoral degree. The Council directed that the Registration Committee review the current process and report to the Council on any changes that are required.

It was MOVED McFarlane

That the report on the activities of the Registration Committee from March 23, 2012 to June 1, 2012 be received.

CARRIED

(2) Inquiries, Complaints and Reports Committee (ICRC)

The Council received a report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from March 23, 2012 to June 1, 2012.

The Council noted that there were fewer Health Professions Appeal and Review Board (HPARB) reviews requested this year as compared to last year.

It was Moved Mercier

That the report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from March 23, 2012 to June 1, 2012 be received.

CARRIED

.05b Financial:

(1) Variance Report to March 31, 2012

The Registrar provided to the Council the Variance Report to March 31, 2012 and reviewed the items that are projected to exceed the budgeted amount by more than \$1,000. The Registrar reported that the deficit projected for the end of the fiscal year is considerably smaller (83% less) than the budgeted deficit.

It was MOVED McKegney

That the Variance Report to March 31, 2012 be received.

CARRIED

(2) Report from the Finance and Audit Committee

The Council received a report from the Finance and Audit Committee (FAC).

It was MOVED Harrison

That the report from the Finance and Audit Committee be received.

CARRIED

(3) Appointment of Signing Officers

It is MOVED McFarlane

That the College approve the corporate resolution as provided by TD Canada Trust and the attached Schedule A listing the Signing Officers.

CARRIED

(4) Policy on Employee Compensation: Proposed Amendment
IN CAMERA

The President informed the observers that this agenda item would be discussed **IN CAMERA**.

It was MOVED Harrison

That the Council move IN CAMERA to discuss the Proposed Amendment to the Policy on Employee Compensation.

CARRIED

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

**It was MOVED Rampersad
That there being no further business, the IN CAMERA session
of the Council meeting be concluded.**

CARRIED

The open meeting of Council was resumed and the Council reported that they had reviewed and approved the Proposed Amendment to the Policy on Employee Compensation.

(5) Reserve Fund Allocations

At the Council meeting in March 2012, the Council had deferred discussion on this agenda item for the College to seek advice from the auditor.

The Registrar commented that the Finance and Audit Committee will be meeting with the Auditor in August 2012 and will consult with him regarding the allocation of the Reserve Funds.

.05c Report from the meeting of Training Program Representatives and Internship Program Directors

The Council received an oral report from Dr. Jane Ledingham on the meeting of Training Program Representatives and Internship Program Directors held at the College on May 11, 2012. Both groups met separately and then held a Joint meeting on the same day to discuss issues of common interest. The two Academic representatives on Council, Dr Jane Ledingham and Dr. Abby Goldstein chaired the two separate meetings and reported that the meetings were well attended and both groups appreciate the opportunity provided by the College to meet and discuss issues of common interest.

It was MOVED Mercier

**That the report from the meeting of Training Program
Representatives and Internship Program Directors be
received.**

CARRIED

.05d By-Law 9: Banking and Finance

The Registrar provided to the Council proposed amendments to By-Law 9: Banking and Finance with respect to the Manager: Administration having the responsibility for transactions involving the transfer of College's funds. The proposed amendments replace references to the Directors: Investigation and Hearings and

Registration with the Manager: Administration in executing financial transactions with the Registrar or Deputy Registrar. The financial transactions may involve transferring funds into or out of operating expenses as needed.

**It was MOVED Ledingham
That the proposed amendments to By-Law 9: Banking and
Finance be approved.**

CARRIED

- .05e Legal Matters Update: **IN CAMERA**
The President informed the observers that this agenda item would be discussed **IN CAMERA**.

**It was MOVED Harrison
That the Council move IN CAMERA to discuss this agenda
item.**

CARRIED

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

**It was MOVED Harrison
That the IN CAMERA session at the Council meeting 2012.03
on June 1, 2012 be concluded and that the Open meeting of
Council be resumed.**

CARRIED

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

- .05f Report from the ASPPB meeting
This agenda item was moved from the Consent agenda to the Business agenda for further discussion.

The Council received a report from the Vice-President on the mid-year meeting of the ASPPB. The Council discussed whether there may be an impact on the profession of Psychology with the possible regulation of applied behavior analysts. In Ontario, the Ministry of Child and Youth Services has issued a Request For Proposal (RFP) to look at certification of applied behavior analysts.

- .05g Government Relations Report
This agenda item was moved from the Consent agenda to the Business agenda for further discussion.

Responding to a question, the Registrar responded that she has sent a letter to the Director: Health Profession Regulatory Advisory Council (HPRAC) regarding the use of the title "Psychologist" by employees at a federal agency who were not registered with the College. The Registrar has also held discussions with the Ministry of Health and Long-Term Care (MOHLTC) regarding the issue.

- .05h Federation of Health Regulatory Colleges of Ontario (FHRCO) Report
This agenda item was moved from the Consent agenda to the Business agenda for further discussion.

The Registrar commented that the FHRCO had sent a request to the Ministry of Citizenship and Immigration for access to the KPMG report on the Office of the Fairness Commissioner (OFC). The Federation received the report and noted that the report is an operational review of the OFC and future activities such as overseeing the new College of Trades.

2012.03.06

.06a

Other Business

Dates of the next Council meetings
The Council confirmed the following dates for Council meetings:

Friday September 21, 2012
Friday December 14, 2012

Proposed Council Training Day on September 20, 2012:
The Council confirmed that on Thursday September 20, 2012, there will be a training session for Council.

2012.03.07

Adjournment

Prior to adjournment, the Council noted that Public member Ms. Cheryl Rampersad will be completing her second 3 year term on Council in August 2012. Ms Rampersad will not be seeking reappointment to Council. The President presented a Certificate of Appreciation to Ms. Rampersad for her service on Council.

There being no further business

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

CARRIED

The Council meeting was adjourned at 2:10PM.

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

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

Minutes approved at the Council meeting on September 21, 2012