

COUNCIL MEETING
2012.05
December 14, 2012

PRESENT:

Milan Pomichalek, Ph.D., C.Psych., President
Robert Gauthier, M. Ed., C.Psych.Assoc., Vice-President
Ruth Berman, Ph.D., C.Psych.
Peter Farvolden, Ph.D., C.Psych.
Abby 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.
Judy Cohen, Public Member
Vincent Lacroix, Public Member
Ivan McFarlane, Public Member
Peter McKegney, Public Member
Ethel Teitelbaum, Public Member

Regrets:

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, MBA, Dip.C.S., C.Psych. Assoc.,
Director: Investigations & Hearings
Lesia Mackanyn, Director: Registration
Stephanie Morton, Manager: Administration
Prema Shankaran, Assistant to the Registrar, Recorder

2012.05.00

Call to Order

The President called the meeting to order at 9:02AM.

2012.05.01

Approval of the agenda:

The following changes were made to the agenda:

Moved:

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

.02b(3) ASPPB Report to .05g
.02c(1) Executive Committee Report to .05h

Added:
.06b Reporting of Offences

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

CARRIED

.01b Minutes:

(1) Minutes of Open meeting of Council 2012.04 on September 21, 2012

**It was MOVED Goldstein
That the minutes of the Open meeting of Council 2012.04 on
September 21, 2012 be approved with the following change:**

Delete Dr. Allyson Harrison's name from the Attendees list.

CARRIED

Dr. Harrison had sent regrets for the meeting.

(2) Action List Status Report

The Council reviewed the Action List and noted that the listed items are on the agenda at this meeting

(3) Minutes of the **IN CAMERA** meeting at the Council Meeting 2012.03 on June 1, 2012

**(a) It was MOVED Mercier
That the minutes from the IN CAMERA meeting at the Council
meeting 2012.04 on September 21, 2012 be approved as
presented.**

CARRIED

2012.05.02 Consent Agenda items

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

CARRIED

2012.05.03 Strategic Issues

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

2012.05.04

Policy issues

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

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 by teleconference on November 15, 2012.

The Task Force analyzed the data gathered from the Survey of Chiefs of Psychology in School Boards. It was reported that many school boards face challenges in hiring and shortages of Staff because of not finding eligible candidates. Apart from one accredited doctoral program in School and Child Clinical Psychology, there are no programs which provide training to meet the requirements of School Boards.

Due to budget constraints, some school boards may advertise for Psychometrists instead of Psychologists or Psychological Associates. The Council also noted the need for Masters level psychological service providers and that it is important to consider the implications of closing masters level registration. The Task Force will be considering the issue of Masters level registration in providing recommendations to the Council meeting in March 2013.

The Task Force will be surveying members who work in other settings and it was suggested that Community Health Centers be included in the survey.

Action Item VL

to send information on Community Health Centers to the Registrar

The Task Force will be meeting by teleconference on January 23, 2013 and at a one day meeting on March 1, 2013.

It was MOVED McFarlane

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

CARRIED

The Council thanked the Task force for all the work that has been done.

- .04b Regulation Updates:

(i) Registration:

The Registrar reported that the Ministry Staff have advised that the Registration Regulation amendments (academic credentials requirements and elimination of reference to guidelines) which were

submitted to the Ministry of Health and Long-Term Care (MOHLTC) have been forwarded to the legislative drafters. The Registration Regulation had not been put on the agenda for a Standing Committee meeting before the legislature was prorogued.

The “Titles” regulation has not yet been submitted.

(ii) The Deputy Registrar reported that the Quality Assurance (QA) Regulation was also received by the Ministry but had not gone for policy review. The Deputy Registrar commented that the key issues in the QA regulation amendments are regarding the QA Committee having the authority to select randomly from subsets of the membership for Peer Assisted reviews. This is important to the Continuing Education program.

It was MOVED Harrison

That the status reports on the proposed Amendments to Registration and Quality Assurance Regulation be received.

CARRIED

.04c Update on the Ontario Psychological Association (OPA) Prescribing Initiative

The Registrar reported that the OPA had made a submission to the Ministry of Health and Long-Term Care to consider extending to members of the College of Psychologists of Ontario the authority to prescribe psychotropic medication. The OPA is waiting to see if the Ministry would refer the issue to the Health Profession Regulatory Advisory Council.

It was MOVED Mercier

That the oral report on the status of the Ontario Psychological Association the (OPA) Prescribing Initiative be received.

CARRIED

.04d New Controlled Act: Psychotherapy

Delegation: Policy issues

The Registrar provided to the Council some policy questions with respect to delegation of the new controlled act of provision of Psychotherapy services.

Members of five health regulatory Colleges including the College of Psychologists of Ontario will be authorized to perform the controlled act respecting Psychotherapy. The Council is asked to consider whether the College would permit members to delegate performance of this controlled Act.

The Council reviewed the questions provided by the Registrar and discussed the merits and consequences of permitting or prohibiting delegation.

The Council noted that The College of Psychologists of Ontario does not permit delegation of the controlled act of communication of a diagnosis.

It was noted that other health regulatory colleges whose members are authorized to perform the controlled act of psychotherapy are likely to prohibit delegation of this controlled act.

The Council noted that currently members of the College may supervise unregulated providers of psychotherapy services in the members' practice.

The Council considered whether it is in the public interest to permit or prohibit delegation and if the College permits delegation, what standards should be established

The Council considered the next steps for the College in making the decision regarding delegation. The Registrar asked whether the Council would like more data to be gathered. The Council suggested that the College get information from members who are supervising people providing psychotherapy services. The Council considered whether a task force should be appointed or whether the Client Relations Committee would take on the task. The decision was deferred pending review of the proposed role of the Client Relations Committee (agenda item .04f). The Registrar commented that it may be about 15 months before the new Controlled Act is proclaimed.

.04e Proposed Amendments to By-Law 20: Elections to Council
(i) Recounts

The Registrar provided to the Council proposed amendments to By-Law 20: Elections to Council which deal with the provisions for recounts after the elections are held. As election results are made available to the candidates within 5 business days after the election, it is proposed that the period during which a candidate may request a recount be shortened to 10 business days instead of the current 30 days after the election. It is also proposed that the period during which the College must conduct the recount be shortened to 5 business days from the current 15.

The Council reviewed the proposed amendments and

It was MOVED McFarlane

That the proposed amendments to sections 20.15 (i) and 20.15 (ii) of By- Law 20: Elections to Council be approved for circulation to the membership.

CARRIED

(ii) Recruitment of Academic Representatives on Council

The Registrar provided to the Council information gathered from other Health Regulatory Colleges on the recruitment of Academic Representatives on Council. The College is considering making amendments to the eligibility criteria for academic representatives on Council.

The College has had difficulties in recruiting Academic representatives. At this time, the Academic representatives on Council serve for a term of 3 years. Only those with a Full time appointment are eligible. The Registrar had discussed the issue with the Directors of Training Programs at their recent meeting at the College. The Training Program Directors suggested that the term for Academic representatives be reduced to 2 years. The College has also considered including adjunct faculty who teach part-time and recently retired emeriti to be eligible for serving as the Academic representative.

The Council noted that Academic representatives spend about 30 days per year in attending meetings at the College and universities and potential candidates find it difficult to make the commitment. The College may have to pay the universities for a back-up teaching staff.

The Council agreed that the Chairs of the Training Programs should be made aware of the issue and the steps that the College is considering in making the appointment to the Council more desirable. The Training Programs should be involved in selecting and suggesting academic representatives on Council. The Council directed that the Staff bring proposed amendments to By-Law 20: Elections to Council to include changing the term for Academic representatives to a 2 year renewable term and to include adjunct faculty and recently retired emeriti as being eligible to serve on Council.

Action Item CY

bring to the Council meeting in March 2013 proposed amendment to By-Law 20: Elections to Council regarding Academic Representatives on Council

- .04f Proposed amendments to the role of the Client Relations Committee
The Council received a proposed amendment to the role of the Client Relations Committee to become the official body within the College to review policy and legislative issues and make recommendations to the Council. The Chair of the Client Relations Committee may invite additional participants to be involved in specific projects as needed.

It was MOVED Goldstein

That *Policy II-7(1) Client Relations Committee Terms of Reference /Role* be revised to become the official body within the College to review policy and legislative issues and make recommendations to the Council and to permit the Chair of the Committee to invite additional participants for such reviews if deemed necessary and that the next review date of this policy be in 2014/2015.

CARRIED

The Client Relations Committee will take on the task of gathering data for the Council to make a decision on the issue of permitting delegation of the new Controlled Act of Psychotherapy.

- .04g Right to use French: For examinations
The Registrar provided to the Council some information on the College's obligations under the Regulated Health Professions Act to provide examinations in French. The College provides a bilingual Jurisprudence and Ethics Examination and the oral exam in French if requested by a candidate. The Association of State and Provincial Psychology Boards (ASPPB) was providing a bilingual version of the EPPP but is considering moving to a French only examination for candidates from a jurisdiction where it is required by law to provide the examination in French. This would meet the College's statutory obligations.

2012.05.05

Business issues

- .05a Reports from Committees:
(1) Registration Committee:
The Council received a report on the activities of the Registration Committee from September to December 2012.

The Registration Committee reported that a larger number of cases are being reviewed at each meeting resulting in longer meetings.

**It was MOVED Lacroix
That the report on the activities of the Registration Committee
from September to December 2012 be received.**

CARRIED

Inquiries, Complaints and Reports Committee (ICRC)
The Council reviewed a report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from September to December 2012. The Chair of the Committee commented that the report is more detailed and presents new statistics.

**It was Moved Harrison
That the report on the activities of the Inquiries, Complaints
and Reports Committee (ICRC) from September to December
2012 be received.**

CARRIED

.05b Financial Reports:

(1) Variance Report to August 31, 2012

The Registrar provided to the Council the Variance Report to August 31, 2012 and reviewed the items that are projected to exceed the budgeted amount by more than \$1,000. The Registrar reported that at the end of the first quarter, the deficit is likely to be lower than projected in the budget.

The Registrar commented that there had been an increase in registration revenue due to an unusually large number of applications and more supervised practice members.

The College has purchased new telephone equipment which allows teleconferences to be set up in-house.

**It was MOVED Mercier
That the Variance Report to August 31, 2012 be received.**

CARRIED

(2) Report from the Finance and Audit Committee (FAC) to Council
The Council received a report from the FAC on their teleconference on November 29, 2012.

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

CARRIED

(3) Investment Policy: Proposed Amendments

The Registrar provided to the Council proposed amendments to the Investment Policy and the considerations for recommending changes to the College's current Investment Policy.

The Council reviewed the proposed amendments and agreed that the investment policy should be revised to include acceptable instruments to Schedule II banks and corporations with superior credit ratings.

The Council directed that the Staff bring By-Law 9: Banking and Finance with the amendments as discussed at the Council meeting incorporated to the Council meeting in March 2013.

Action Item CY

to bring By-Law 9: Banking and Finance with the amendments as discussed at the Council meeting incorporated to the Council meeting in March 2013.

(4) Budget Planning for 2013-2014

(a) Jurisprudence and Ethics Examination: proposed On-line Post Registration Examination – Budgetary considerations

At the meeting on September 21, 2012, the Council had directed that the Registrar develop a budget for an On-Line Post Registration Jurisprudence and Ethics Examination (JEE) including development costs and a training module to replace the current examination.

The Registrar discussed developing a Post Registration JEE to replace the current examination with the Jurisprudence and Ethics Examination Committee. The Committee expressed concern about eliminating the current examination which is required to be taken prior to registration.

The College can no longer require mobility applicants registered in another jurisdiction in Canada to pass a Jurisprudence and Ethics Examination (JEE) prior to being registered for autonomous practice in Ontario. The Council noted that the numbers of these candidates is quite small and they are registered in another jurisdiction prior to applying for registration in Ontario. The Jurisprudence and Ethics Examination Committee recommended keeping the current examination and using a different approach such as the Quality Assurance process for the candidates applying under the AIT.

The Council agreed that the current Jurisprudence and Ethics Examination would be maintained as the Registration requirement.

The Quality Assurance Committee will look into options for assuring ongoing competence with respect to Jurisprudence and Ethics.

Action Item Quality Assurance Committee

To look into options for assuring ongoing competence with respect to Jurisprudence and Ethics.

(b) IN CAMERA

(1) JEE Audit: Contractual Considerations

(2) Staffing

This agenda item was discussed **IN CAMERA** in the absence of the recorder. The minutes for this agenda item will be provided by the Registrar.

- .05c Report from the meeting of the Association of Canadian Psychology Regulatory Organizations
The Council received a report from the Deputy Registrar on the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO) held on October 27, 2012. At the meeting, a letter was drafted that expressed the concerns of some jurisdictions about the unintended consequences of the Agreement on Internal Trade (AIT) with individuals who were using the AIT as a backdoor to secure registration in a jurisdiction in which they wish to practice which has more stringent registration requirements by first registering in a jurisdiction whose requirements are less stringent. The letter was to be sent to federal/provincial/territorial labour mobility representatives to make them aware of these concerns. The Council received a copy of the draft letter.

The Deputy Registrar commented that there did not appear to be unanimous agreement among the jurisdictions for sending the letter which is a requirement for correspondence sent on behalf of ACPRO. The jurisdictions that wish to send the letter would need to send it on their own.

The Council directed that the letter be rewritten and sent on the College letterhead. The Council wished to review the letter before it is sent.

Action Item RM

ACPRO letter to be rewritten- sent on CPO letterhead - Council would like to see it before it is sent

It was MOVED McKegney

That the report from the meeting of the Association of Canadian Psychology Regulatory Organizations be received.

CARRIED

.05d Report from the meetings with Directors of Training Programs and Directors of Internship Programs

The Academic members on Council provided an oral report on the meetings with Directors of Training Programs and Directors of Internship Programs.

On November 30, 2012, the Directors of Training Programs and Directors of Internship Programs had a Joint meeting at the College to which Directors of Training Clinics were also invited for the first time. The two groups also held separate meetings. The meetings were well attended and the participants appreciated the opportunity provided by the College to exchange information on issues of mutual interest. The Registrar provided an update on legislative changes and the OPA submission to the Ministry of Health and Long-Term Care to consider extending to members of the College of Psychologists of Ontario the authority to prescribe psychotropic medication.

It was MOVED Mercier

That the report on the meetings with Directors of Training Programs and Directors of Internship Programs be received.

CARRIED

.05e Interim Report from the Task Force on Psychological Service providers in the context of disputes concerning Child Custody and Access or Child Protection

The Registrar provided to the Council background information on the Task Force on Psychological Service providers in the context of disputes concerning Child Custody and Access or Child Protection.

This Task Force was initiated by the Executive Committee to develop advice to members regarding their professional obligations in relation to proceedings involving Custody and Access Assessments in response to a suggestion by Health Professions Appeal and Review Board (HPARB). HPARB had reviewed two decisions by the Inquiries, Complaints and Reports Committee (ICRC) and upheld the College's decisions but suggested that the College:

- develop a policy that recognizes and addresses the issues associated with the Child Custody and Access Assessments conducted by its members
- adopt a policy that would provide members with specific guidance as to their professional

obligations when asked to testify on behalf of one party when two parties have engaged in joint sessions as set out in these reasons.

The Registrar invited members of the College who are experts in the field to participate in the Task Force with Staff support provided by the Director: Investigations and Hearings.

The Task Force met on October 11, 2012 and developed the Terms of Reference. The Task Force will be developing a survey to be sent to the membership regarding their experiences in working in this area. The Council suggested that the survey include a question on what language is used to provide the service.

**It was MOVED Lacroix
That the Terms of Reference for the Task Force on
Psychological Service providers in the context of disputes
concerning Child Custody and Access or Child Protection be
received.**

CARRIED

.05f Government Relations Report: Moved from .02b(2)
Responding to a question, the Registrar commented that the College is on track with meeting obligations required by the Office of the Fairness Commissioner (OFC) and will prepare an Annual report for the OFC. The OFC website lists the Registration Practices Assessment Report for the College.

.05g ASPPB Activities: Moved from .02b(3)
The Registrar commented that the ASPPB meeting in October 2012 included a discussion on the licensure of Applied Behavioral Analysts (ABA). There was no further information on the new Psychology Licensure Universal System (PLUS).

.05h Executive Committee Report: Moved from .02c(1)
In response to a question about the budgetary implications for placing an advertisement in the newspapers during Psychology Month, the Registrar commented that the College has a Communications budget which could be used for this purpose.

Action Item Staff to place an Ad in the newspapers during Psychology Month

2012.05.06

Other Business

- .06a Date of the next Council meeting
(i) The Council confirmed the following dates for Council meetings in 2013:

Council Training Day on Thursday March 21, 2013
Council Meeting on Friday March 22, 2013
Council Meeting on Friday June 21, 2013

- (ii) Set date for Elections in 2013

The Council approved March 28, 2013 as the date for Elections in 2013.

- .06b Mandatory reporting of Offences
The Regulated Health Professions Act (RHPA) requires members to report to the Registrar if they are found guilty of an offence. There is no definition of the nature of the offence that is to be reported.

At this time, the members are required to report to the College all offences including parking violations.

The Council agreed that there should be some clarification. The Council directed that the College develop advice to members on the nature of offences that they should report to the College.

Action Item CY

Prepare draft advice to members for reporting of offenses - March Council

2012.05.07

Adjournment

There being no further business

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

CARRIED

The Council meeting was adjourned at 2:47PM.

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

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

Minutes approved at the Council meeting on March 22, 2013

Action List from Council Meeting 2012.05 December 14, 2012

- Action Item VL** **to send information on Community Health Centers to CY**
- Action Item Staff** **By-Law 20 Amendments to Recount period approved for circulation**
- Action Item CY** **Amend By-Law 20 re including Adjunct/Emeriti recommended by program, term minimum 2 year renewable – March Council**
- Inform Training Program Directors /Heads of Depts re proposed amendments to eligibility for Academics at Council**
- Action Item CY** **Bring by Law 9 with proposed amendments to investment policy – March Council**
- Action Item RM** **ACPRO letter to be rewritten- sent on CPO letterhead - Council would like to see it before it is sent**
- Action Item Staff** **Budget for Placing Ad in newspapers during Psychology Month**
- Action Item CY** **Prepare draft policy language for reporting of offenses - March Council**