

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
COUNCIL MEETING  
2013.04  
October 4, 2013**

**PRESENT:**

Robert Gauthier, M.Sc., M. Ed., C.Psych.Assoc., President  
Lise Mercier, Ph.D., C.Psych. Vice-President  
Ruth Berman, Ph.D., C.Psych.  
Lynette Eulette, Ph.D., C.Psych.  
Peter Farvolden, Ph.D., C.Psych.  
Abby Goldstein, Ph.D., C.Psych  
Matias Mariani, Ph.D., C.Psych.  
Patricia Minnes, Ph.D., C.Psych  
Walter Mittelstaedt, Ph.D., C.Psych.,  
Glenn Webster, M.Ed., C.Psych. Assoc.  
Kirstin Bisbee, Public Member  
Judy Cohen, Public Member  
Jaffar Mohammad Hayat, Public Member  
Vincent Lacroix, Public Member  
Ivan McFarlane, Public Member  
Peter McKegney, Public Member  
Ethel Teitelbaum, Public Member

**Staff:**

Catherine Yarrow, MBA, Ph.D., C.Psych.,  
Registrar & Executive Director  
Rick Morris, Ph.D., C.Psych.,  
Deputy Registrar & Director: Professional Affairs  
Lesia Mackanyn, Director: Registration  
Stephanie Morton, Manager: Administration  
Prema Shankaran, Assistant to the Registrar, Recorder

**2013.04.00**

**Call to Order**

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

**2013.04.01**

**Approval of the agenda:**

The following changes were made to the agenda:

Deferred to Council Meeting on December 13, 2013

.05a(1a8) Annual Reports Executive Committee

.05a(1a9) Annual Reports Council

Added:

- .03b Mission and Vision Statements
- .03c Succession Planning Committee
- .06b Use of Technology instead of Paper
- .06d Clarification of Terms on Council

Moved:

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

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

**CARRIED**

.01b Minutes:

(1) Minutes of Open meeting of Council 2013.03 on June 21, 2013

**It was MOVED Mercier  
That the minutes of the Open meeting of Council 2013.03 on  
June 21, 2013 be approved as presented.**

**CARRIED**

(2) Minutes of the **IN CAMERA** meeting at the Council Meeting  
2013.03 on June 21, 2013

**It was MOVED Minnes  
That the minutes from the IN CAMERA meeting at the Council  
meeting 2013.03 on June 21, 2013 be approved as presented.**

**CARRIED**

**2013.04.02**

**Consent Agenda items**

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

**CARRIED**

**2013.04.03**

**Strategic Issues**

.03a Strategic Direction: Implementation

The Registrar provided to the Council a copy of the Mission and Vision Statement with added columns in which were listed current or recent examples of the activities of the College and examples of tasks which are proposed or are in development with respect to each of the Vision statements. The Council reviewed the list and suggested a few more examples and agreed that the list should be updated and provided to all Council meetings.

- .03b Proposed revisions to Mission and Vision Statements  
The Council received a copy of the proposed Mission and Vision Statements. The Council reviewed the proposed amendments and made a few suggestions.

**It was MOVED Minnes  
That the Vision and Mission Statement as amended at the  
Council meeting be approved.**

**CARRIED**

- .03c Succession Planning Committee  
The Council discussed the appointment of a Succession Planning Committee whose members would include the President, the Registrar, an additional professional member on Council and a public member. The following Council members expressed an interest in serving on the Succession Planning Committee: Dr. Ruth Berman, Public members Mr. Peter McKegney and Mr. Jaffar Mohammad Hayat.

**It was MOVED McFarlane  
That a Succession Planning Committee be appointed  
consisting of the following members:**

**Registrar**

**President**

**Dr. Ruth Berman, Professional Member**

**Peter McKegney, Public Member**

**Jaffar Mohammad Hayat, Public Member**

**CARRIED**

#### **2013.04.04**

#### **Policy issues**

- .04a Regulations Submissions Update  
(1) Registration  
(a) Report: Registration Regulation Consultation Summary  
(b) Comments from the Office of the Fairness Commissioner (OFC)  
(c) Proposed changes to Registration Regulation - Tracked

The Registrar provided to the Council a report of the feedback received from stakeholders and members on the amendments to the Registration Regulation circulated on June 25, 2013.

The Council also received a copy of the comments from the Office of the Fairness Commissioner (OFC). The College will provide to the OFC the criteria used by the College for evaluation of graduate programs from non-CPA accredited programs. A sub-Committee of the Registration Committee is gathering the information.

The Registrar participated in a teleconference with Staff from the Ministry of Health and Long-Term Care (MOHLTC) which resulted in making some changes to the Registration Regulation. The Council received a copy of the Registration Regulation with the changes tracked. The Registrar commented that the Ministry Staff appreciate that a considerable amount of work and consultations have gone into these registration regulation amendments.

The Council reviewed the tracked changes and

**It was MOVED Mercier**

**That the Registration Regulation Amendments provided to the Council meeting on October 4, 2013 be approved for submission to the Ministry of Health and Long-Term Care (MOHLTC).**

**CARRIED**

(2) Quality Assurance Regulation Amendments

The Deputy Registrar provided to the Council a report on the responses received from stakeholders and members to the amendments to the Quality Assurance Regulation circulated on June 25, 2013.

There were no comments or changes required as a result of the consultation. One additional change that was discussed with the Ministry was included in the final draft.

**It was MOVED McFarlane**

**That the Amendments to the Quality Assurance Regulation provided to the Council meeting on October 4, 2013 be approved for submission to the Ministry of Health and Long-Term Care (MOHLTC).**

**CARRIED**

- .04b Disclosure of Member Registration Numbers to e-Health Ontario  
The President welcomed Ms. Abigail Carter-Langford, Chief Privacy Officer & Vice-President, and Radwan El Ali, Manager, Physician e-Health, e-Health Ontario to the Council meeting to make a presentation to the Council on the College of Psychologists of Ontario providing Registration Numbers to the e-Health Provider Registry. This would allow members of the College access to the Registry so that they can participate in the sharing of electronic medical and health information. The College's legal Counsel has advised that the College could provide the Registration numbers to e-Health without amending By Law 25: The Register and Related matters to make the Registration numbers public.

The presenters responded to questions from the Council regarding provisions and safeguards for access to personal records, privacy, and public protection with respect to releasing the Registration numbers to e-Health Ontario and other organizations who might have access to the e-Health Provider Registry. The College will need to appoint a Privacy Officer who will act as the liaison for the College with e-Health Ontario.

The Registrar commented that Bill 78: *Electronic Personal Health Information Protection Act, 2013* will be going for Second reading in the legislature and the proposed amendments to the RHPA may address the concerns that the College has in releasing registration numbers.

e-Health Ontario has signed Data Sharing Agreements with some of the Health Regulatory Colleges and would like to have all information in place by 2015. The e-Health Provider Registry will enable fast, efficient and secure electronic sharing among authorized health care providers.

**It was MOVED Mariani  
That the Council authorize the release of member Registration numbers to e-Health Ontario for the purpose set out in the Data Sharing Agreement to facilitate the establishment of the Provider Registry.**

**CARRIED  
Opposed: Teitelbaum**

The Council directed that the Registrar write to the Chief Privacy Officer, e-Health Ontario regarding questions raised by Council on Access to personal records, public protection

<b>Action Item</b>	<b>CY</b>	<b>To write to the Chief Privacy Officer, e-Health Ontario regarding Access to personal records, public protection</b>
	<b>MM</b>	<b>to email CY with specific questions re security concerns</b>

.04c By Law 25: The Register and Related matters  
(1) Possible additions  
(2) Legal Advice: **IN CAMERA**

A part of this agenda item was discussed **IN CAMERA**.

**It was MOVED Lacroix  
That the Council move IN CAMERA to discuss legal advice.**

**CARRIED**

After reviewing the legal advice

**It was MOVED Lacroix**

**That the IN CAMERA meeting be concluded and the Open meeting of Council resumed.**

**CARRIED**

The Registrar provided to the Council amendments proposed by the College of Physicians and Surgeons of Ontario (CPSO) to their By-Law to provide additional information on the Public Register.

The Council had discussed the proposed amendments at the meeting in June 2013 and directed that the College get more information and seek legal advice on whether the College of Psychologists of Ontario should consider providing similar information on the Public Register.

Transfer of Records: The College got information on the storage of Records. The College is not recommending any changes to the current practice regarding Record Storage at this time.

Notice of Hearing: After reviewing legal advice, the College is recommending that the Notice of Hearing be added to the information that is currently published on the Register.

Status of Discipline Hearings:

Adjournment *sine die*:

After reviewing legal advice, the College is recommending that By-Law 25: The Register and Related matters be amended to add a provision to publish that a hearing has been adjourned *sine die* and not future date has been set.

Reinstatement Hearing:

After reviewing legal advice, the College is recommending that By Law 25: The Register and Related matters be amended to publish the decision of the Discipline Committee after a Reinstatement Hearing.

**Action Item CY**

**Proposed Amendments to By-Law 25: the Register and Related Matters To draft By-Law language on adding Notice of hearing, reinstatement hearing, adjournment *sine die*, to Dec Council meeting for approval**

.04d Supervision Standards

The Registrar provided to the Council information on the supervisory activities of members that are other than supervising students and registration applicants. In their private practice, members supervise individuals who may be members of other

regulated professions and some who may be unregulated providers. There is nothing in the current Standards or Guidelines that specifically address these activities. The Registrar commented that Association of State and Provincial Boards of Psychology (ASPPB) may bring Guidelines on Supervision to their next meeting.

The Registrar asked the Council to consider whether there should be a consultation with the membership to gather information on:

Whether the current standards for supervision are adequate

What activities are members supervising

What activities are members providing in terms of supervision

Criteria for supervisors

Is the supervision part of a business arrangement?

The Council directed that the Registrar establish an ad-hoc Committee (including an Academic member, a public member and one or two practitioners) to conduct a member consultation on activities related to supervision. The Registrar confirmed that there is a budget allocation for Special Projects in the current fiscal year.

**Action Item CY**

**to Registrar establish an ad-hoc committee to conduct a member consultation on activities related to supervision and provide a report to the Council meeting in March 2014.**

- .04e Association of State and Provincial Boards of Psychology (ASPPB)  
(1) Proposed Amendment to ASPPB By-Law – Election Process for Board Directors

ASPPB is seeking to amend the By-Law on the election of Board of Directors to provide some flexibility in case appropriate nominations are not received. This was provided to the Council for information. The By-Law amendment will be voted on at the Annual meeting of the ASPPB in October 2013.

- (2) Election to Board of Directors – Nominations

The list of nominations for election to the Board of Directors was provided to the Council. The President will be attending the Annual General Meeting of the ASPPB in October 2013 and will vote in the election as the Delegate from Ontario.

(3) Maintenance of Competence for Licensure (MOCAL) White Paper

The Council received a draft of the report from the ASPPB Task Force on Maintenance of Competence for Licensure (MOCAL). The Registrar served as a member of the Task Force. ASPPB has invited comments on the white paper. The Quality Assurance Committee will review the report at their next meeting.

The Council agreed that this report was an excellent resource for oral examiners.

.04f Proposed Amendment to By-Law 20: Election to Council Qualifications, Terms of Office and Conditions for Disqualification

The Registrar provided to the Council excerpts from By-Law 20: Elections to Council dealing with Eligibility for Elections and Disqualification of Elected or Appointed Members. The Council reviewed the sections and also discussed whether the Conflict of Interest policy should be reviewed for eligibility criteria.

The Council directed that the Conflict of Interest Policy be reviewed and any proposed recommendations brought to the Council meeting in December 2013

**Action Item CY**

**to review the Conflict of Interest Policy and bring any proposed recommendations to the Council meeting in December 2013**

.04g Status of Bills before the legislature

(1) Bill 4: Proposed Changes to the Health Professional Incorporation Regime

The Registrar provided a copy of Bill 4: to the Council for information. There is no action required by the College on this Private member's Bill that deals with spouses, parents or children of members holding shares in the corporation.

(2) Bill 70

Bill 70: *Regulated Health Professions Act (RHPA) amendment Act (Spousal Exemption), 2013*

The Bill was referred to the Standing Committee on the Legislative Assembly. The College made a submission to the Standing Committee.

(3) Bill 78

Bill 78: *Electronic Personal Health Information Protection Act, 2013*

The Council received a copy of Bill 78: *Electronic Personal Health Information Protection Act, 2013* which passed first reading in May



2013. If Bill 78 is enacted, the proposed amendments to the *Regulated Health Professions Act, 1991* (RHPA) would give the Minister authority to make regulations requiring the Colleges to provide information to the agencies specified by the Ministry. This may address the concerns that the College is currently discussing with e-Health Ontario regarding release of members' registration numbers.

The Bill was scheduled for Second Reading in September 2013 but did not get to Second Reading. It may be scheduled at a later date.

## 2013.04.05

### **Business issues**

.05a Reports from Committees:

(1a) Annual Reports from Committees

(1) Registration Committee:

The Council reviewed the Annual report of the Registration Committee for 2012-2013.

**It was MOVED Mercier**

**That the Annual Report of the Registration Committee for 2012-2013 be received.**

**CARRIED**

(2) Discipline Committee

The Council reviewed the Annual report of the Discipline Committee for 2012-2013.

**It was MOVED Cohen**

**That the Annual Report of the Discipline Committee for 2012-2013 be received.**

**CARRIED**

Inquiries, Complaints and Reports Committee (ICRC)

The Council reviewed the Annual report of the Inquiries, Complaints and Reports Committee (ICRC) for 2012-2013.

**It was Moved McKegney**

**That the Annual report of the Inquiries, Complaints and Reports Committee (ICRC) be received.**

**CARRIED**

Quality Assurance Committee (QA)

The Council reviewed the Annual report for 2012-2013 of the Quality Assurance Committee.

**It was MOVED McFarlane**

**That the Annual Report of the Quality Assurance Committee for 2012-2013 be received.**

**CARRIED**

Client Relations Committee

The Council reviewed the Annual report for 2012-2013 of the Client Relations Committee.

**It was MOVED Goldstein  
That the Annual Report of the Client Relations Committee for 2012-2013 be received.**

**CARRIED**

Fitness to Practice Committee

The Council noted that there had been no referrals to the Fitness to Practice Committee in 2012-2013 and there were no meetings of the Fitness to Practice Committee during the year.

**It was MOVED Berman  
That the Annual Report of the Fitness to Practice Committee for 2012-2013 be received.**

**CARRIED**

Jurisprudence and Ethics Examination Committee

**It was MOVED Mariani  
That the Annual Report of the Jurisprudence and Ethics Examination Committee for 2012-2013 be received.**

**CARRIED**

(1b) Reports on Committee Activities from June 2013 to October 2013

(1) Registration Committee

There was no report from the Registration Committee.

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

The Council received a report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 2013 to October 2013.

**It was MOVED McKegney**

**That the report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 2013 to October 2013 be received.**

**CARRIED**

- .05b Financial Reports:  
(1) Audit 2012-2013  
(a) Audited Financial Statements year-ending May 31, 2013  
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, 2013 to the Council. Mr. Raja commented that the Finance and Audit Committee (FAC) had reviewed the draft Audited Financial Statements at their meeting on September 18, 2013.

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

Audit Findings Report  
Draft Audited Financial Statements

The Audited Financial Statements have been prepared in accordance with the new Canadian Accounting Standards for Not for Profit organizations that came into effect on June 1, 2012. For this year, the statements show comparative figures for 3 years: June 1, 2011, May 31, 2012 and May 31, 2013. In future years, a two year comparison will be provided. Mr. Raja reviewed the Audited Financial Statements with the Council and highlighted changes that have been made to be compliant with the new Standards. The changes did not have an impact on the College.

Mr. Raja congratulated the College on a clean audit. The College was well prepared for the audit. There were no significant issues to be discussed with the management or the FAC. The College is in a healthy financial situation and has Reserve Funds including the Fee Stabilization Fund which would enable the College to defer a Fee Increase.

The Auditor suggested that the word "audit" be deleted from the Fair Registration Practices *Audit* Fund. The last audit was about 5 years ago and no future audits have been scheduled by the Office of the Fairness Commissioner (OFC).

Mr. Raja advised that the Canada Revenue Agency has completed the project on the audit of Not for Profit organizations and is

expected to release guidelines on the cash reserves for Not for Profit organizations in the next couple of years. The Not for Profit organizations will have a period of time in which to make changes to their Reserve Funds.

(b) Report from the Finance and Audit Committee (FAC) to Council  
The Council received a report from the FAC on their meeting on September 18, 2013. The auditor reviewed the Audited Financial Statements with the FAC. The FAC recommended that the Audited Financial Statements be brought to the Council meeting for approval. The FAC is not recommending a fee increase for 2014-2015. On the advice from the Auditor, the FAC recommended to Council that the word "Audit" be deleted from the Fair Registration Practices *Audit* Fund. That Reserve Fund will now be called the Fair Registration Practices Fund.

**It was MOVED Lacroix  
That the word "Audit" be deleted from the Fair Registration Practices *Audit* Fund.**

**CARRIED**

**It was MOVED Lacroix  
That the Audited Financial Statements for the year 2012-2013 be approved.**

**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.

(c) Appointment of Auditors for 2013-2014

**It was MOVED McFarlane  
That the firm of Clarke Henning LLP be appointed as the auditors for the 2013-2014 fiscal year for the College of Psychologists of Ontario.**

**CARRIED**

(2) Variance Report to May 31, 2013

The Registrar provided to the Council the Variance Report to May 31, 2013 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 fiscal year, the College has a surplus of \$384,200. The Council had approved a budget with a deficit of \$314, 000 for the year 2012-2013. The Registrar reported that the

revenues were higher than expected because of a higher number of applicants and the revenue may be lower in the coming years.

**It was MOVED McKegney  
That the Variance Report to May 31, 2013 be received.**

**CARRIED**

(3) Review of Fees: FAC Recommendation  
In view of the College's strong financial situation, the Finance and Audit Committee is not recommending an increase in the annual Registration Fees for the year 2014-2015.

The Committee is bringing forward some amendments to By-Law 18: Fees proposed by the Registrar which include changes to reflect the language in the Registration Regulation. It is recommended that the fees for interviews be reduced from \$750 to \$500 because it has been possible to conduct the Interviews in a cost effective manner. The Council received a copy of By Law 18: Fees with the tracked changes.

**It was MOVED Lacroix  
That the proposed amendments to By-Law 18: Fees be  
approved for circulation to the membership for 60 days.**

**CARRIED**

**Action Item Staff**

**to circulate the proposed amendments to By-Law 18: Fees to the membership for consultation and bring back to the council meeting in December 2013 for approval.**

The proposed amendments to By-Law 18: Fees will be brought back to the December 2013 Council meeting for approval.

.05c Report from the Task Force on Psychological Service Provision in the context of disputes concerning Child Custody, Access or Child Protection

The Director: Investigations and Hearings, Mr. Barry Gang participated in the discussion of this agenda item by teleconference.

The Council received two reports from the Task Force:  
Draft: Advice to members providing Psychological Service in the context of Child Custody disputes & Child Protection Proceedings

Feedback to the College of Psychologists of Ontario from the Custody and Access Task Force

This Task Force was initiated by the Executive Committee in response to a suggestion by the Health Professions Appeal and Review Board (HPARB) to develop advice to members regarding their professional obligations in relation to proceedings involving Custody and Access Assessments.

Members of the Task Force suggested that the College circulate the draft Advice to Members document to the membership for consultation. After the consultation, the Task Force would review the feedback and provide a final report to the Council.

The Council agreed that this is an excellent resource for members conducting these assessments. The Council noted a suggestion that the document be circulated to Training Programs and the associations. The final report could be made available on the College website with a cover memo to identify it as providing Guidelines for members who are providing or may consider providing service in this area.

**It was MOVED Cohen**

**That the draft document entitled “Advice to members providing Psychological Service in the context of Child Custody disputes & Child Protection Proceedings” be circulated to the membership for comment.**

**CARRIED**

**Action Item Staff**

**to circulate the draft document entitled “Advice to members providing Psychological Service in the context of Child Custody disputes & Child Protection Proceedings” to the membership for consultation.**

There were three recommendations made by the Task Force in the Feedback report.

- Support opportunities for members to gain more information and training

The Council agreed to defer further action until the final report is received.

- Look at Complaints screening mechanisms
- Whether the college would wish to engage in Interdisciplinary activities regarding systemic issues

The Council agreed to defer further action until the ICRC reviews the report and reports to Council

- .05d Proposed date for By-election in District 3  
The Council confirmed that the By-election to fill a vacancy in District 3 will be held on January 16, 2014.

**2013.04.06**

**Other Business**

- .06a Dates for Council meetings  
(i) The Council noted the following confirmed dates for Council meetings:
- Friday December 13, 2013.
  - Council Meeting on Friday March 21, 2014
  - Council Training Day on Thursday March 20, 2014

- (2) The Council confirmed the following date for Council meeting in June 2014:
- Friday June 20, 2014

**2013.04.07**

**Adjournment**

There being no further business

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

**CARRIED**

The Council meeting was adjourned at 4:05PM.

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Robert Gauthier, M.Sc., M.Ed., C.Psych. Assoc.,  
President

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Lise Mercier, Ph.D., C.Psych, Vice-President

**Minutes approved at the Council meeting on December 13, 2013.**