

The College of Psychologists of Ontario

COUNCIL MEETING

2014.02 June

20, 2014

PRESENT:

Ruth Berman, Ph.D., C.Psych.
Kristin Bisbee, Public Member
Judy Cohen, Public Member
Dorothy Cotton, Ph.D., C.Psych.
Lynette Eulette, Ph.D., C.Psych.
Peter Farvolden, Ph.D., C.Psych.
Robert Gauthier, M.Sc., M. Ed, C.Psych.Assoc.
Jaffar Mohammad Hayat, Public Member
Gilles Hebert, Ph.D., C.Psych
Matias Mariani, Ph.D., C.Psych
Peter McKegney, Public Member
Patricia Minnes, Ph.D., C.Psych.
Walter Mittelstaedt, Ph.D., C.Psych.
Astra Josie Rose, Public Member
Ethel Teitelbaum, Public Member
Glenn Webster, M.Ed., C.Psych. Assoc.

Regrets:

Vincent Lacroix, Public Member

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

2014.02.00

Call to Order

- .00a The Registrar called the Council meeting to Order and welcomed new Council members Dr. Gilles Hebert representing District 4 and Public Member Astra Josie Rose.
- .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 confirmed that since one Statement of Interest had been received for each of these positions on the Executive Committee: President, Vice-President, the two Professional Members and two Public members, no further nominations would be accepted at the Council meeting. The Registrar commented that Council members could ask questions of the candidates running for the Executive Committee.

At the end of the brief period of questions, the Registrar conducted the elections for the full slate of the Executive Committee and announced that the following Council members were elected to the Executive Committee:

The Executive Committee for 2014-2015:

**Robert Gauthier, M.Sc., M.Ed., C. Psych. Assoc., President,
Peter McKegney, Public Member, Vice President
Ruth Berman, Ph.D., C. Psych., Professional Member
Dorothy Cotton, Ph.D., C. Psych., Professional Member
Gilles Hebert, Ph.D., C. Psych., Professional Member
Vincent Lacroix, Public Member**

The Registrar congratulated the new Executive Committee and requested the President, Mr. Robert Gauthier, to take the Chair and conduct the proceedings of Council.

**It was MOVED Berman
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 a further orientation for new Council Members.

2014.02.01

Approval of the agenda:

The following changes were made to the agenda:

Moved:

Registrar's Reports:

.02a(1) Report from ASPPB mid-year meeting to .05i

.02b(4) FHRCO Activities to .05j

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

CARRIED

- .01b Minutes:
(1) Minutes of the Open Meeting at the Council meeting 2014.02 on March 21, 2014

**It was MOVED Cotton
That the minutes of the Open meeting at the Council Meeting 2014.01 on March 21, 2014 be approved as presented.
CARRIED**

Business arising from the Minutes:

Line 83: Dr. Mariani confirmed that he has no further concerns regarding the access to personal health records on the e-Health Ontario database

Line 386: Identify as Action Item

Gathering statistical data on complaints related to assessments provided by court appointed and assessors who are not appointed by courts

(2) Action List Status Report

The Council reviewed the Action List and noted that the items on the List are on the Agenda at this Council meeting.

(3) Minutes of the **IN CAMERA** meeting at the Council Meeting 2014.01 on March 21, 2014

**It was MOVED McKegney
That the minutes of the IN CAMERA meeting at the Council meeting 2014.01 on March 21, 2014 be approved as presented.
CARRIED**

**2014.02.02 Consent Agenda items
It was MOVED Eulette
That the Consent agenda items be approved.
CARRIED**

2014.02.03 Strategic Issues
.03a Strategic Direction Implementation: Update
The Registrar provided to the Council a copy of the Strategic Direction Implementation update in which the Vision and Mission Statement are shown along with a list of 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 Mission statements.

The following was noted:

To add:

- signing and returning to the Ministry of Health and Long-Term Care (MOHLTC) the sealed Registration and Quality Assurance Regulation Amendments
- proposed Review of Standards of Professional Conduct
- completed redesign of College website
- completed review of Delegation of the Controlled Act of Psychotherapy by the Client Relations Committee

.03b Core Values

At the Executive Committee meeting on April 25, 2014, it was suggested that the Core Values be reordered so that they would form the acronym FAIR.

Fairness, Accountability, Integrity, Respect

The Core Values would be further discussed at the Council Training on September 18, 2014.

2014.02.04

Policy issues

.04a Proposed Amendments to Registration and Quality Assurance Regulation: Status Update

The Registrar informed the Council that the sealed and signed regulations have been returned to the Ministry of Health and Long-Term Care (MOHLTC). The Policy Analyst at the Ministry has advised that the necessary steps will be completed so that the regulation amendments can be placed on the agenda of the meeting of the Standing Committee on Legislation and Regulation when legislature resumes.

.04b Council Decision March 2013: Further Discussion

(1) Report from the Task Force on Shaping the Future of Psychology Regulation in Ontario

(2) Discussions with the Office of the Fairness Commissioner

The Council received a copy of the report from the Task Force on Shaping the Future of Psychology Regulation in Ontario which the Council had previously discussed in March 2013. The Chair of the Task Force, Mr. Peter McKegney, provided a brief summary of the processes of the Task force and the recommendations that were brought to the Council meeting in March 2013. At that Council meeting, the Council had voted unanimously to adopt Option 2 of the Task Force Report:

to discontinue master's level registration, grandparent Psychological Associates as Psychologists and develop a mechanism for evaluating internationally trained applicants

- a. Cease to accept master's level applications as of a set date
- b. Register all Psychological Associates as Psychologists on a fixed date, or within a fixed time period.
- c. Develop a mechanism for evaluating internationally trained applicants' competencies for substantial similarity to a CPA accredited program and remediation as needed, regardless of whether they have obtained a master's degree or a doctoral degree.

The Council had directed that the Registrar develop an Implementation plan for the provisions of Option 2. There was no further action taken to implement the above decisions because shortly after the March 2013 Council meeting, the Ministry of Health and Long-Term Care (MOHLTC) directed that the College recirculate for stakeholder consultation and resubmit to the Ministry the Registration Regulation Amendments that had previously been circulated for a 60 day stakeholder consultation and submitted to the Ministry incorporating feedback from the consultation.

The revised regulation has now been sealed and signed by the President and the Registrar and returned to the Ministry. The Regulation is now awaiting the steps for the final approval process before it is proclaimed and will be in force.

In 2013, the title issue and the closing of the masters level registration were joined at the direction of the Ministry of Health and Long-Term Care (MOHLTC). At this meeting, the Council reviewed the March 2013 report for further discussion. The Council was asked to decide whether to:

- Move forward with implementation plans for the Council decision from March 2013;
- Amend the motion from March 2013; or
- Make a new motion to separate the two issues

The Registrar advised that procedurally, the Council would have to rescind the motion from March 2013 and make a new motion to separate the two issues.

At times during the discussion of this agenda item, the President requested the Vice-President to take the Chair and participated in the discussion.

Discussion:

Closure of Masters level registration:

Concerns regarding availability of psychological services at remote areas of the province and College's duty to provide adequate access to services

Similar concerns regarding effect on services in school boards

There would be opposition from the Office of the Fairness Commissioner about closing the master's level registration and any resulting barriers for foreign trained applicants. The Office of the Fairness Commissioner would like the College to consider evaluating foreign trained applicants on the basis of competencies rather than degree.

Under Option 2, the College will be developing a mechanism to evaluate foreign trained applicants. The Council had discussed creating a limited class of registration. Some Council members noted that competency assessment may be the way to move forward and may change the focus of accredited programs. As a regulator, the role of the College is to define the entry level competencies for independent practice.

The Council noted that changes to the Agreement on Internal Trade (AIT) may have created confusion for the public and other professionals regarding the 3 groups of members that are now registered in Ontario:

Psychologists with doctoral degrees
Psychologists with masters degrees
Psychological Associates with masters degrees

Even if the College moved to the doctoral degree as the standard for Entry to Practice, under the AIT, the College would have to register as Psychologists, applicants from other provinces with Masters degrees and the title Psychologist.

Upcoming Issues that may influence Council decisions:

Several provinces are moving to doctoral degree as the Entry to Practice and providing adequate services is an issue that needs to be addressed separately. The Deputy Registrar commented that the Association of Canadian Psychology Regulatory Organizations

(ACPRO) is discussing the development of National Standards for Entry to Practice which could have an impact on registration requirements of all provinces. As Chair of ACPRO, the Deputy Registrar was invited to attend a workshop on *Pan-Canadian Systems and Mutual Recognition Agreements* including representatives from Federal and provincial regulatory bodies and various levels of the Government. The mandate of the working group which works under the Forum of Labour Market Ministers of Canada is to develop a framework for assessment and recognition of foreign qualifications.

The Council noted that these issues have been discussed at various times in the past years and some Council members expressed the opinion that the Council should move forward and not revisit previous discussions.

In providing their recommendations to Council in March 2013, the Task Force had conducted an extensive survey to gather data on service needs, demographics of the profession, the availability of training opportunities, and training of international applicants and conducted stakeholder consultations.

There may be further changes coming to the AIT and the development of National Standards and the Council agreed that the any decision that is made by the Council now may need to be revisited and discussed in the future.

**It was MOVED Cotton
That the Council direct the Registrar to develop an
implementation plan for the decision made by Council in
March 2013 and provide a draft to the council meeting in
September 2014.**

**In Favour: 13
Opposed: 1
Abstained: 1
CARRIED**

The non-voting Psychological Associate member of Council wished to have it recorded that he was opposed to the above motion.

**Action Item CY to develop an Implementation plan for the decision made by Council in
March 2013 and provide a draft to the council meeting in September 2014.**

- .04c Standards of Professional Conduct: Proposed review and timing of future reviews
At their meeting in April 2014, the Executive Committee considered that the previous review of the Standards of Professional Conduct

had been conducted in 2005 and agreed to recommend to Council that a policy be developed that the Standards of Professional Conduct be reviewed every 5 years and a Task Force be appointed to conduct the review.

The Council agreed that in the interests of public protection, the Standards should be reviewed more frequently than every 10 years so that they would be current with changes to legislation. The Council noted that the process of review of the Standards may take up to a year or more including review of the draft by Council, stakeholder consultation and Council approval of the revised Standards.

It was MOVED Mariani

1. That the Council accept the recommendation from the Executive Committee that the review of the Standards of Professional Conduct be scheduled in 2014-2015 and direct the Registrar to begin the process for conducting the review of the Standards.

2. That the College review the Standards of Professional Conduct a maximum of 5 years after the last comprehensive review was finalized and approved.

CARRIED

Action Item CY **to begin the process for conducting the review of the Standards of Professional Conduct.**

.04d **IN CAMERA** Review of proposed amendments to Policy II-4(ii) Discipline Committee Rules of Procedure Legal Advice
The discussion of this Agenda item was conducted **IN CAMERA.**

.04e Jurisprudence and Ethics Examination Committee (JEEC)
(1) Proposal to have a public member attend the JEEC Meetings
At their meeting in December 2013, the Jurisprudence and Ethics Examination Committee had discussed inviting a public member to attend the JEEC meeting since public members are not appointed to the Committee. The Committee recommended that a public member be appointed to the JEEC for a period of 1-2 years to attend both the business meeting of the Committee as well as the rest of the meeting where the Committee reviews items.

This discussion of this agenda item was deferred from the Council meeting in March 2014 to this meeting. The Council considered the recommendation from the Jurisprudence and Ethics Examination Committee and

It was MOVED McKegney

That a public member be appointed to the Jurisprudence and Ethics Examination Committee for a period of one year to attend the meetings of the Committee as an observer.

CARRIED

The following public members expressed an interest in being appointed to the Jurisprudence and Ethics Examination Committee as an observer:

Judy Cohen
Peter McKegney
Astra Josie Rose
Ethel Teitelbaum

It was MOVED Cotton

That the Council delegate to the Executive Committee the authority to appoint a Public member as an observer to attend the meetings of the Jurisprudence and Ethics Examination Committee.

CARRIED

(2) Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans: Brief Description and Relationship to the Jurisprudence and Ethics Examination

The Jurisprudence and Ethics Examination Committee recommended to Council that the Council adopt the Tri Council Policy Statement for Research involving humans in place of the American Psychological Association (APA) Ethics Standards. The Committee has made the same recommendation to the Chair of the Quality Assurance Committee and that section 16.3 of the By Law 16: Codes of Ethics and Practice for Members be amended to read as follows:

Of relevance to the practice of psychology, the College endorses the 2nd edition of *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* published by the Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada, and the *Standards for Educational and Psychological Testing* published by the American Educational Research Association.

It was MOVED Mittelstaedt

That By-Law 16: Codes of Ethics and Practice for Members be amended to replace the American Psychological Association (APA) Ethics Standards with the Tri Council Policy Statement for Research involving Humans published by the Canadian Institutes of Health Research, Natural Sciences and

Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada.

CARRIED

The Registrar confirmed that changes to By-Law 16 do not need to be circulated to the membership for consultation before being approved. The College will publish the changes to By-Law 16.

Action Item Staff To publish that College has adopted the Tri Council Guidelines

(3) Proposed amendment to Policy II-10(1) Jurisprudence and Ethics Examination Committee: Terms of Reference and Role Replacement language for phrase

At their meeting on April 25, 2014, the Executive Committee received from the Registrar proposed amendment to Policy II-10(1) Jurisprudence and Ethics Examination Committee: Terms of Reference and Role to replace the phrase “in good standing” in the eligibility criteria for appointment of members to the Jurisprudence and Ethics Examination Committee (JEEC).

The revised language references criteria as specified in section 19.3 of By Law 19: Appointment of non-Council members to Committees of the College and Conditions for disqualification.

**It was MOVED Cotton
That the Council approve proposed amendment to Policy II-10(1) Jurisprudence and Ethics Examination Committee: Terms of Reference and Role that the Committee should include 7-9 members, all of whom must be members of the College who meet the eligibility criteria for appointment to a College Committee as set out in section By Laws 19-3 of By Law 19: Appointment of non-Council members to Committees of the College and Conditions for disqualification.**

CARRIED

2014.02.05 Business Issues

- .05a Committee Reports
(1) Registration Committee
The Council received a report on the activities of the Registration Committee from March 22, 2014 to June 20, 2014.

**It was Moved McKegney
That the report on the activities of the Registration Committee from March 22, 2014 to June 20, 2014 be received.**

CARRIED

(2) Inquiries, Complaints and Reports Committee (ICRC)
The Director: Investigations and Hearings presented a report to Council on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from March 22, 2014 to June 20, 2014.

It was Moved Mariani
That the report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from March 22, 2014 to June 20, 2014.

CARRIED

.05b Financial:

(1) Variance Report to March 31, 2014
The Registrar provided to the Council the Variance Report to March 31, 2014 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 10 months of the fiscal year, it is projected that the College will finish the year with a surplus of \$157,400 instead of the \$237,800 deficit that was approved in the budget for 2013-2014.

It was MOVED Cohen
That the Variance Report to March 31, 2014 be received.

CARRIED

(2) Report from the Finance and Audit Committee
The Vice-President took over as the Chair for the meeting and the President provided a report to Council from the Finance and Audit Committee (FAC).

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

CARRIED

The Executive Committee will consider appointing a second public member to the FAC at their next meeting.

(3) Appointment of Signing Officers

It is MOVED Mariani

That as Dr. Lise Mercier has completed her term as Vice-President of the College, her name be removed from the list of Signing Officers as of June 20, 2014; and

as Mr. Peter McKegney has been elected Vice-President of the College, his name and that of Dr. Peter Farvolden, who has kindly agreed to serve as the local Signing Officer, be added to the list of Signing Officers as of June 20, 2014; and

that the College approve the corporate resolution as provided by TD Canada Trust and the names of the Signing Officers as of June 20, 2014 be added to the attached Schedule A.

CARRIED

- .05c Task Force on Psychological services providers in the context of disputes concerning Child Custody and Access or Child Protection

The Director: Investigations and hearings provided a summary of the activities of the Task Force on Custody and Access. The Task Force was established in September 2012 to develop advice to members who provide psychological services in the context of Child custody and Access disputes or child protection proceedings. The Task Force provided two reports to the College:

Information for members
Advice to the College

The initial draft document titled "Advice for members" was provided to the membership for consultation and based on the feedback received from members and the Ontario Psychological Association (OPA), the document was titled "Information for members".

The Council discussed the Task Force and OPA concerns that if this document is published by the College it would be perceived as the Standard of Professional Conduct and could be used as a basis for making complaints. The Council agreed that this document is a good resource and it is important to provide it to the members and considered whether it could be a topic at a future Barbara Wand Seminar.

The Council directed that the Registrar get legal advice on how the "Information for members" from Custody and Access Taskforce could be provided to the members so that it would not be perceived as a Standard of Professional Conduct

Action Item CY **to get legal advice on distributing the “Information for Members” from Custody and Access Taskforce so that it would not be perceived as a Standard of Professional Conduct**

(2) Advice to the College

The Inquiries, Complaints and Reports Committee (ICRC) reviewed the advice to the College from the Custody and Access Task Force at their plenary meeting and provided a report to the College on the recommendations from the Task Force and they identified some recommendations as being outside the mandate of the Committee. The Council received a copy of the report from the ICRC.

Further discussion of this agenda item was deferred to the Council meeting in September 2014.

The Council directed that the Registrar and the Director: Investigations and Hearings review the report and bring draft motions to the Council meeting in September 2014.

Action Item CY BG **To review the “Advice to the College” from the Custody and Access Task Force and bring draft motions to the Council meeting in September 2014**

.05d Supervision Task Force
The Registrar will contact the members to be appointed to the Supervision Task Force.

.05e Report from the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO)
The Council received a report for the Deputy Registrar on the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO) held in Vancouver on June 7-8, 2014.

**It was MOVED Cotton
That the report on the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO) be received.
CARRIED**

The Deputy Registrar will provide a report on the National Licensure Standards and the Pan Canadian Framework for Assessment and Recognition of Foreign Qualifications at the next discussion of the recommendations from the Task Force on Shaping the Future of Psychology Regulation in Ontario at the Council meeting in September 2014.

Action Item RM **to provide a report on the National Licensure Standards and the Pan Canadian Framework for Assessment and Recognition of Foreign Qualifications at the next discussion of the recommendations from the**

Task Force on Shaping the Future of Psychology Regulation in Ontario at the Council meeting in September 2014.

- .05f Report from Barbara Wand Symposium
The Council received a report for the Deputy Registrar on the Barbara Wand symposium held in Toronto on May 12, 2014.

It was MOVED Cotton

That the report on the Barbara Wand symposium be received.

CARRIED

- .05h Meeting of Training Program Representatives and Internship Program Directors & Joint Meeting on May 2, 2014

Discussion of this agenda item was deferred.

- .05i Report on the mid-year meeting of the Association of State and Provincial Psychology Boards (ASPPB)

This agenda item had been moved from the Consent agenda for further discussion. Discussion of this agenda item was deferred.

- .05j Registrar's Report on Federation of Health Regulatory Colleges of Ontario (FHRCO) Activities

This agenda item had been moved from the Consent agenda for further discussion. Discussion of this agenda item was deferred.

Discussion of **IN CAMERA** Agenda Items

It was MOVED Mariani

That the Council move IN CAMERA to discuss the following agenda items:

.04d Review of proposed amendments to Policy II-4(ii)

Discipline Committee Rules of Procedure Legal Advice

.05g Succession Planning Committee Update

CARRIED

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

It was MOVED Cohen

That the IN CAMERA session of the Council meeting be concluded and the open meeting of Council resumed.

CARRIED

The Council reported to the open meeting that in the **IN CAMERA** session the Council had discussed agenda items .04d and .05g.

2014.02.06
.06a

Other Business

Dates of the next Council meetings

Friday September 19, 2014

Friday December 12, 2014

Council Training on September 18, 2014

The Council confirmed the following dates in March 2015:

Council Training on Thursday March 19, 2015

Council meeting on Friday March 20, 2015

2014.02.07

Adjournment

There being no further business

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

CARRIED

The Council meeting was adjourned at 4:08PM.

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

Peter McKegney, Vice-President

Minutes approved at the Council meeting on September 19, 2014