



COLLEGE OF
PSYCHOLOGISTS
OF ONTARIO

MEETING OF THE COLLEGE COUNCIL

2024.01

DATE: FEBRUARY 1, 2024

TIME: 2:00PM - 5:00PM

LOCATION: TO BE HELD VIRTUALLY

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COUNCIL MEETING AGENDA

2024.01

FEBRUARY 1, 2024

2:00 PM to 5:00 PM

AGENDA ITEM	TOPIC	ACTION	PAGE #	STRATEGIC DIRECTION*
.00	CALL TO ORDER & LAND ACKNOWLEDGEMENT			
.01	APPROVAL OF AGENDA			
.01A	Review & Approval of Agenda	Decision	2	
.01B	Declarations of Conflicts of Interest	Discussion	--	
.02	POLICY ISSUES			
.03A	Registration Regulation Proposed Amendments – Expansion to the Temporary Emergency Class	Decision	3	S3
.03B	Draft Revisions to the <i>Standards of Professional Conduct, 2017</i>	Decision	25	S1
.03	OTHER BUSINESS			
.06A	Next Council Meeting: <ul style="list-style-type: none"> March 21, 2024 	Information	--	--
.07	ADJOURNMENT			

Strategic Direction Reflection:

S1 - *Excellence in Care*

S2 - *Membership Engagement*

S3 - *Innovation in Regulation*

S4 - *Continuous Quality Improvement Culture*



BRIEFING NOTE

2024.01.03A

FEBRUARY 2024 COUNCIL MEETING

ABA TEMPORARY EMERGENCY CLASS OF REGISTRATION – CONSULTATION RESULTS

STRATEGIC DIRECTION REFLECTION

Innovation in Regulation

MOTION FOR CONSIDERATION

That Council approve submitting to the Ministry of Health the proposed amendments to O.Reg. 193/23 Registration, under the *Psychology and Applied Behaviour Analysis Act, 2021*, that will create a “Temporary Emergency Class of Certificate of Registration” for Behaviour Analysts.

Moved By TBD

PUBLIC INTEREST RATIONALE

As per the Health Professions Procedural Code which is Schedule 2 of the *Regulated Health Professions Act*, “it is a duty of the College to work in consultation with the Minister to ensure, as a matter of public interest, that the people of Ontario have access to adequate numbers of qualified, skilled and competent regulated health professionals”. The government of Ontario has determined there is a need to have mechanisms in place to increase health human resource capacity to help Ontario respond to future emergency situations. During these occasions, the typical pathway to registration as outlined in the Ontario Regulation 193/23 Registration, may not be adequate or may not be able to respond quickly enough. By enabling the implementation of amendments that include an “Emergency Class” of registration for qualified practitioners, an increased supply of human resources may be available to support the health care system on an expedited basis.

BACKGROUND

As per the requirement set out in *Bill 106, Pandemic and Emergency Preparedness Act, 2022*, the Executive Committee approved in principle draft regulations to expand the emergency class of registration to include Behaviour Analysts. These were circulated to the members and other stakeholders for a 60-day consultation. The Health Professions Procedural Code, being Schedule 2 of the *Regulated Health Professions Act, 1991*, permits the Executive Committee to act on behalf of the Council and make decisions on matters it believes require immediate attention. The spirit of this amendment is to ensure that in the event of a pandemic or other emergency circumstance, that each regulated health College is prepared to increase their potential health human resource supply through temporary registration routes.

The Ministry of Health has asked that regulation amendments be submitted in February. The Executive Committee (acting on behalf of Council) at its meeting on November 24 approved circulation of the proposed amendments to stakeholders for the required 60-day consultation period. A special meeting of Council has been set for February 1 to approve the submission of the regulation amendments.

As required by the Ministry for the regulation submission, the Council vote will be recorded with professional and public member votes noted separately.

Council will find this proposal familiar as a similar consultation was conducted in February – April 2023 to create the “Temporary Emergency Class of Certificate of Registration” for the profession of psychology. The Registration Regulation was amended on August 31, 2023, with this addition. At the time of the consultation in the spring it was not possible to amend the Registration Regulation to include Behaviour Analysts as the regulations for this profession had not yet been approved. On July 20, 2023, the Lieutenant Governor in Council approved the regulations, under the *Psychology and Applied Behaviour Analysis Act, 2021 (Act)*, for the profession of applied behaviour analysis (ABA). The Act will be proclaimed effective July 1, 2024. Now that these regulations have been approved, we are required to include Behaviour Analysts in the “Temporary Emergency Class of Certificate of Registration” section.

Key Features of the Proposed Temporary Emergency Class

Who will be eligible to register as a Temporary Emergency Class member?

The emergency class will be available to individuals who qualify for registration under the existing labour mobility provisions as well as members who have been inactive or retired for less than two years.

What constitutes an “emergency” that would trigger the opening of the Temporary Emergency Class?

The Temporary Emergency Class will only be available when the College Council determines it is in the public interest to open this class which includes the Minister of Health requesting it be opened to address a public health emergency.

What are the terms, conditions or limitations on Temporary Emergency Class members?

Currently the registration regulation requires applicants to meet certain conditions to be registered in any class of registration. These will also apply to the emergency class:

1. They will practice the profession only within the scope of their skills, knowledge and judgment;
2. They are legally able to work in Canada;
3. They can speak and write in English or French with reasonable fluency; and
4. They have liability insurance before providing patient care.

Tracked changes of Ontario Regulation 193/23 Registration *Temporary Emergency Class of Certificates of Registration* with the proposed amendments related Behaviour Analysts are attached.

UPDATE

The consultation materials were distributed to members, subscribers, and stakeholders¹ on November 27, 2023. A reminder email was sent on January 8, 2024. The consultation was open until January 26, 2024. The consultation materials are attached. To date the College has received 59 responses.

A sample of the feedback received is provided below.

- *These changes appear to be straightforward and satisfactory.*
- *This amendment might be helpful for emergency services, if & when needed.*
- *The proposed amendment appears to be a logical extension of the temporary emergency class of certificates, and consistent with the intentions of 193/23.*
- *The changes make sense.*

¹ Stakeholders include Government Ministries, Regulatory Colleges, Associations, Certification Boards, Client/Parent Groups, Service Providers, Educational Institutions.

NEXT STEPS

Upon approval, the College will be submitting to the Ministry of Health following this meeting.

ATTACHMENTS

1. Proposed Amendments to O.Reg. 193/23 Registration and Rationale Chart
2. Full text of Ontario Regulation 193/23 Registration with the proposed amendments

CONTACT FOR QUESTIONS

Tony DeBono, MBA, Ph.D., C.Psych.
Registrar & Executive Director

**PROPOSED AMENDMENTS TO ONTARIO REGULATION 193/23 REGISTRATION
UNDER THE *PSYCHOLOGY AND APPLIED BEHAVIOUR ANALYSIS ACT, 2021*
“TEMPORARY EMERGENCY CLASS OF CERTIFICATES OF REGISTRATION”**

Existing Clause	Proposed Amendment	Explanation/Rationale
<p>Temporary emergency class of certificates of registration</p> <p>42. The following are non-exemptible registration requirements for a certificate of registration as a psychologist or psychological associate in the temporary emergency class:</p> <ol style="list-style-type: none"> 1. The Minister must have requested that the College initiate registrations under this class based on the Minister’s opinion that emergency circumstances call for it or the Council must have determined, after taking into account all of the relevant circumstances that impact the ability of applicants to meet the ordinary registration requirements, that there are emergency circumstances, and that it is in the public interest that the College issue emergency certificates. 2. The member must hold, <ol style="list-style-type: none"> i. a certificate of registration that authorizes the applicant to practise the profession in another Canadian jurisdiction, ii. an Inactive Class of Certificate of Registration that has been in effect for less than two years, or iii. a Retired Class of Certificate of Registration that has been in effect for less than two years. O. Reg. 297/23, s. 2. 	<p>Temporary emergency class of certificates of registration</p> <p>42. The following are non-exemptible registration requirements for a certificate of registration as a psychologist or psychological associate <u>or behaviour analyst</u> in the temporary emergency class:</p> <ol style="list-style-type: none"> 1. The Minister must have requested that the College initiate registrations under this class based on the Minister’s opinion that emergency circumstances call for it or the Council must have determined, after taking into account all of the relevant circumstances that impact the ability of applicants to meet the ordinary registration requirements, that there are emergency circumstances, and that it is in the public interest that the College issue emergency certificates. 2. The member must hold, <ol style="list-style-type: none"> i. a certificate of registration that authorizes the applicant to practise the profession in another Canadian jurisdiction, ii. an Inactive Class of Certificate of Registration that has been in effect for less than two years, or iii. a Retired Class of Certificate of Registration that has been in effect for less than two years. O. Reg. 297/23, s. 2. 	<p>A Temporary Emergency Class is added to include Behaviour Analysts.</p>
<p>Terms, conditions and limitations</p> <p>43. The following are the conditions of a certificate of registration in the temporary emergency class:</p> <ol style="list-style-type: none"> 1. The member must practise the profession only within the scope of their skills, knowledge and judgment. 	<p>Terms, conditions and limitations</p> <p>43. The following are the conditions of a certificate of registration in the temporary emergency class:</p> <ol style="list-style-type: none"> 1. The member must practise the profession only within the scope of their skills, knowledge and judgment. 	<p>Added for new profession.</p>

<p>2. The member must attest that they have familiarized themselves with the provisions of Ontario Regulation 801/93 (Professional Misconduct) made under the Act and the College’s Standards of Professional Practice and agree to practice in compliance with these.</p> <p>3. The member must maintain professional liability insurance in the amount and in the form required by the by-laws.</p> <p>4. The member must promptly and, in any event, within five business days, advise the College in writing if the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) permitting the member to engage in the practice of psychology in Ontario.</p> <p>5. The member may only use the title “Temporary Emergency Psychologist” or “Temporary Emergency Psychological Associate” or the designations “C.Psych. (temporary emergency class)” or “C.Psych.Assoc. (temporary emergency class)” or a variation or equivalent in another language. O. Reg. 297/23, s. 2.</p>	<p>2. The member must attest that they have familiarized themselves with the provisions of Ontario Regulation 801/93193/23 (Professional Misconduct) made under the Act and the College’s Standards of Professional Practice and agree to practice in compliance with these.</p> <p>3. The member must maintain professional liability insurance in the amount and in the form required by the by-laws.</p> <p>4. The member must promptly and, in any event, within five business days, advise the College in writing if the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) permitting the member to engage in the practice of psychology in Ontario.</p> <p>5. The member may only use the title “Temporary Emergency Psychologist” or “Temporary Emergency Psychological Associate” or “Temporary Emergency Behaviour Analyst” or the designations “C.Psych. (temporary emergency class)” or “C.Psych.Assoc. (temporary emergency class)” or “R.B.A. (Ont.) (temporary emergency class)” or a variation or equivalent in another language. O. Reg. 297/23, s. 2.</p>	
<p>Expiry, movement to psychologist authorizing autonomous practice class or psychological associate authorizing autonomous practice class</p> <p>44. (1) Unless stated otherwise on the certificate, a certificate of registration in the temporary emergency class expires one year after it is issued unless it is renewed. O. Reg. 297/23, s. 2.</p> <p>(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the temporary emergency class expires one year after it is issued unless it is renewed again. O. Reg. 297/23, s. 2.</p> <p>(3) Despite subsections (1) and (2), a certificate of registration in the temporary emergency class expires six months after the</p>	<p>Expiry, movement to psychologist authorizing autonomous practice class or psychological associate authorizing autonomous practice class or behaviour analyst authorizing autonomous practice class</p> <p>44. (1) Unless stated otherwise on the certificate, a certificate of registration in the temporary emergency class expires one year after it is issued unless it is renewed. O. Reg. 297/23, s. 2.</p> <p>(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the temporary emergency class expires one year after it is issued unless it is renewed again. O. Reg. 297/23, s. 2.</p>	<p>Added for new profession.</p>

date the Council determines that the emergency circumstances referred to in paragraph 1 of section 33.1 have ended. O. Reg. 297/23, s. 2.

(4) A person who holds a temporary emergency certificate of registration or who held a temporary emergency certificate of registration within the six months prior to applying may be issued a certificate of registration as a psychologist authorizing autonomous practice or a certificate of registration as a psychological associate authorizing autonomous practice, if they request, in writing, that the Registrar issue them a certificate of registration as a psychologist authorizing autonomous practice or a certificate of registration as a psychological associate authorizing autonomous practice. O. Reg. 297/23, s. 2.

(5) A person referred to in subsection (4) must successfully complete the Jurisprudence and Ethics Examination referred to in paragraph 5 of subsection 5 (1) within 12 months of issuance of the certificate of registration as a psychologist authorizing autonomous practice or the certificate of registration as a psychological associate authorizing autonomous practice unless they have previously successfully completed the required examination. O. Reg. 297/23, s. 2.

(3) Despite subsections (1) and (2), a certificate of registration in the temporary emergency class expires six months after the date the Council determines that the emergency circumstances referred to in paragraph 1 of section 33.1 have ended. O. Reg. 297/23, s. 2.

(4) A person who holds a temporary emergency certificate of registration or who held a temporary emergency certificate of registration within the six months prior to applying may be issued a certificate of registration as a psychologist authorizing autonomous practice or a certificate of registration as a psychological associate authorizing autonomous practice, if they request, in writing, that the Registrar issue them a certificate of registration as a psychologist authorizing autonomous practice or a certificate of registration as a psychological associate authorizing autonomous practice. O. Reg. 297/23, s. 2.

(5) A person referred to in subsection (4) must successfully complete the Jurisprudence and Ethics Examination referred to in paragraph 5 of subsection 5 (1) within 12 months of issuance of the certificate of registration as a psychologist authorizing autonomous practice or the certificate of registration as a psychological associate authorizing autonomous practice unless they have previously successfully completed the required examination. O. Reg. 297/23, s. 2.

(6) A person who holds a temporary emergency certificate of registration or who held a temporary emergency certificate of registration within the six months prior to applying may be issued a certificate of registration as a behaviour analyst authorizing autonomous practice, if they request, in writing, that the Registrar issue them a certificate of registration as a behaviour analyst authorizing autonomous practice. O. Reg. 297/23, s. 2.

(7) A person referred to in subsection (6) must successfully complete the assessment of Jurisprudence and Ethics knowledge referred to in paragraph 4. of subsection 27 (1) within 12 months of issuance of the certificate of registration as a behaviour analyst authorizing autonomous practice unless they have previously successfully completed the required assessment. O. Reg. 297/23, s. 2.

Psychology and Applied Behaviour Analysis Act, 2021

ONTARIO REGULATION 193/23 REGISTRATION

Consolidation Period: From July 21, 2023 to the [e-Laws currency date](#).

Note: THIS REGULATION IS NOT YET IN FORCE. It comes into force on July 1, 2024, the day section 15 of Schedule 4 (*Psychology and Applied Behaviour Analysis Act, 2021*) to the *Advancing Oversight and Planning in Ontario's Health System Act, 2021* comes into force.

No amendments.

This is the English version of a bilingual regulation.

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GENERAL

Classes of certificate

1. The following are prescribed as classes of certificates of registration:
 1. Certificate of registration for a psychologist authorizing autonomous practice.
 2. Certificate of registration for a psychologist authorizing interim autonomous practice.
 3. Certificate of registration for a psychologist authorizing supervised practice.
 4. Certificate of registration for a psychological associate authorizing autonomous practice.
 5. Certificate of registration for a psychological associate authorizing interim autonomous practice.
 6. Certificate of registration for a psychological associate authorizing supervised practice.
 7. Certificate of registration for a behaviour analyst authorizing autonomous practice.
 8. Certificate of registration for a behaviour analyst authorizing supervised practice.
 9. Academic certificate of registration.
 10. Inactive certificate of registration.
 11. Retired certificate of registration.
 12. Temporary emergency certificate of registration. O. Reg. 74/15, s. 1; O. Reg. 297/23, s. 1.

Application

2. A person may apply for the issue of a certificate of registration by submitting an application to the Registrar together with the application fee required under the by-laws.

Requirements for issuance

3. The following are registration requirements for all certificates of registration:
 1. The applicant must provide details of any of the following that relate to the applicant:
 - i. A conviction for a criminal offence or an offence related to the regulation of the practice of the profession.
 - ii. A finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
 - iii. A current proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
 2. The applicant must be able, with reasonable fluency, to speak and write either English or French.
 3. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of the profession.

Terms, etc., of every certificate

4. It is a condition of a certificate of registration that the member provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:

1. A conviction for any offence.

2. A finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
3. A proceeding for professional misconduct, incompetency or incapacity, in Ontario in relation to another health profession or in another jurisdiction in relation to the profession or another health profession.
4. A finding of professional negligence or malpractice in any jurisdiction.
5. A proceeding in any jurisdiction in which the member is alleged to have committed professional negligence or malpractice that is in relation to the practice of a health profession.

CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGIST AUTHORIZING AUTONOMOUS PRACTICE

Certificates of registration for a psychologist authorizing autonomous practice

5. (1) Subject to subsections (2) to (6), to qualify for a certificate of registration for a psychologist authorizing autonomous practice, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must have obtained a doctoral degree,
 - i. from a psychology program that is accredited by the Canadian Psychological Association or by another accrediting body that has been approved by Council for that purpose,
 - ii. from a psychology program that is considered by a panel of the Registration Committee to be equivalent to a program described in subparagraph i, or
 - iii. from a psychology program that is offered by an educational institution outside of Canada or the United States of America and that is considered by a panel of the Registration Committee to be substantially similar to a program described in subparagraph i.
2. The applicant must have completed a minimum of 1,500 hours of postdoctoral supervised practice approved by the Registrar or a panel of the Registration Committee and performed while being a member holding a certificate of registration for a psychologist authorizing supervised practice and while under the supervision of a member who meets the requirements in subsection 12 (3).
3. The applicant must have passed the Examination for Professional Practice in Psychology administered by the Association of State and Provincial Psychology Boards or one or more other examinations of knowledge or competence set or approved by the Council or by a body that is approved by the Council for that purpose.
4. The applicant must have passed the oral examination set or approved by the Council.
5. The applicant must have passed the Jurisprudence and Ethics Examination set or approved by the Council.
6. The applicant must have completed all further professional training or experience that, in the opinion of a panel of the Registration Committee, is required to ensure the competence of the applicant for autonomous practice as a psychologist in their intended area of practice.

(2) An applicant who has obtained a doctoral degree from a psychology program described in subparagraph 1 iii of subsection (1) shall not be considered to have met the requirements of paragraph 1 of subsection (1) unless the applicant has successfully completed such further assessment, training or supervised experience, if any, which, in the opinion of a panel of the Registration Committee, is required to ensure that the applicant has competencies equivalent to those of an applicant who has obtained a doctoral degree from a program described in subparagraph 1 i of subsection (1).

(3) An applicant who, at the time of application, is registered or licensed to practise in a jurisdiction outside of Canada is not required to meet the requirements in paragraphs 1, 2, 3, 4 and 6 of subsection (1) if the following requirements are met:

1. The applicant must be registered as a psychologist in good standing in a jurisdiction,
 - i. with which the College has a reciprocity agreement as of the date of the application, or
 - ii. that is considered by a panel of the Registration Committee to have registration requirements equivalent to those of the College for the issuance of a certificate of registration for a psychologist authorizing autonomous practice.
2. The applicant must have attended an interview conducted by a panel of interviewers appointed by the Registrar and been assessed by that panel as being competent to practise in the area of the profession that they intend to practise in.
3. Where the applicant is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychologist authorizing autonomous practice at any time during the 24-month period preceding their application, the applicant must meet any further requirement to undertake, obtain or undergo any additional training, experience, examinations or assessments that, in the opinion of a panel of the Registration Committee, are required to ensure the competence of the applicant for autonomous practice as a psychologist in their intended area of practice.

(4) Where an applicant is a member in good standing holding an Academic certificate of registration, the Registrar shall issue that member a certificate of registration for a psychologist authorizing autonomous practice if the member,

- (a) was, at the time of being issued their Academic certificate of registration, a member holding a certificate of registration for a psychologist authorizing autonomous practice;
- (b) applies, in writing, to the Registrar for a certificate of registration for a psychologist authorizing autonomous practice not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a psychologist authorizing autonomous practice; and
- (c) has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the proposed practice areas.

(5) Where an applicant is a member in good standing holding an Inactive certificate of registration, the Registrar shall issue that member a certificate of registration for a psychologist authorizing autonomous practice if the member,

- (a) was, at the time of being issued their Inactive certificate of registration, a member holding a certificate of registration for a psychologist authorizing autonomous practice;
- (b) applies, in writing, to the Registrar for a certificate of registration for a psychologist authorizing autonomous practice not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a psychologist authorizing autonomous practice; and
- (c) has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the proposed practice areas.

(6) Where an applicant is a member in good standing holding a Retired certificate of registration, the Registrar shall issue that member a certificate of registration for a psychologist authorizing autonomous practice if the member,

- (a) was, at the time of being issued their Retired certificate of registration, a member holding a certificate of registration for a psychologist authorizing autonomous practice;
- (b) applies, in writing, to the Registrar for a certificate of registration for a psychologist authorizing autonomous practice no more than 24 months after the member was issued a Retired certificate of registration and not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a psychologist authorizing autonomous practice; and
- (c) has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the proposed practice areas.

Labour mobility

6. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a psychologist authorizing autonomous practice, the applicant is deemed to have met the requirements set out in paragraphs 1, 2, 3, 4 and 6 of subsection 5 (1) of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychologist in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychologist authorizing autonomous practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

7. It is a term, condition and limitation of every certificate of registration for a psychologist authorizing autonomous practice that the member shall practise the profession only within,

- (a) practice areas of the profession that are authorized for that member by the Registrar or a panel of the Registration Committee; or
- (b) other practice areas where the member's practice is performed under the supervision of a member who is authorized by the Registrar or a panel of the Registration Committee to practise in the relevant practice areas and who holds either a

certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.

CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGIST AUTHORIZING INTERIM AUTONOMOUS PRACTICE

Certificates of registration for a psychologist authorizing interim autonomous practice

8. To qualify for a certificate of registration for a psychologist authorizing interim autonomous practice, it is a non-exemptible requirement that the applicant be registered as a psychologist in good standing in a jurisdiction,

- (a) with which the College has a written reciprocity agreement as of the date of the applicant's application; or
- (b) that is considered by a panel of the Registration Committee to have registration requirements equivalent to those of the College for a certificate of registration for a psychologist authorizing autonomous practice.

Labour mobility

9. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a psychologist authorizing interim autonomous practice, the applicant is deemed to have met the requirements set out in section 8 of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychologist in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychologist authorizing interim autonomous practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

10. It is a term, condition and limitation of every certificate of registration for a psychologist authorizing interim autonomous practice that the member shall practise the profession only within,

- (a) practice areas of the profession that are authorized for the member by the Registrar or a panel of the Registration Committee; or
- (b) other practice areas where the member's practice is performed under the supervision of a member who is authorized by the Registrar or a panel of the Registration Committee to practise in the relevant practice areas and who holds either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.

Expiry

11. A certificate of registration for a psychologist authorizing interim autonomous practice expires 12 months after the date on which it was issued.

CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGIST AUTHORIZING SUPERVISED PRACTICE

Certificates of registration for a psychologist authorizing supervised practice

12. (1) To qualify for a certificate of registration for a psychologist authorizing supervised practice, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must have obtained a doctoral degree,
 - i. from a psychology program that is accredited by the Canadian Psychological Association or by another accrediting body that has been approved by the Council for that purpose,
 - ii. from a psychology program that is considered by a panel of the Registration Committee to be equivalent to a program described in subparagraph i, or
 - iii. from a psychology program that is offered by an educational institution outside of Canada or the United States of America and that is considered by a panel of the Registration Committee to be substantially similar to a program described in subparagraph i.

2. The applicant must provide to the College a signed undertaking from two supervisors in which the supervisors undertake to train the proposed member and supervise and evaluate the proposed member's practice and to provide reports in the form and manner as specified by the Registrar or a panel of the Registration Committee.

(2) An applicant who has obtained a doctoral degree from a psychology program described in subparagraph 1 iii of subsection (1) shall not be considered to have met the requirements of paragraph 1 of subsection (1) unless the applicant has successfully completed such further assessment, training or supervised experience, if any, which, in the opinion of a panel of the Registration Committee, is required to ensure that the applicant has competencies equivalent to those of an applicant who has obtained a doctoral degree from a program described in subparagraph 1 i of subsection (1).

(3) A signed undertaking shall not be considered as satisfying the requirement in paragraph 2 of subsection (1) unless each proposed supervisor who signed the undertaking meets all of the following requirements:

1. They must be a member holding either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.
2. Their certificate of registration must not be subject to any term, condition or limitation that was imposed as a result of a disciplinary proceeding or a fitness to practise proceeding.
3. They must not be the subject of any ongoing disciplinary proceeding or fitness to practise proceeding.
4. They must be authorized by the Registrar or a panel of the Registration Committee to practise in the same practice areas and with the same client groups as those of the individual who is to be under their supervision.

Labour mobility

13. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a psychologist authorizing supervised practice, the applicant is deemed to have met the requirements set out in paragraph 1 of subsection 12 (1) of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychologist in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychologist authorizing supervised practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

14. It is a term, condition and limitation of every certificate of registration for a psychologist authorizing supervised practice that the member shall practise the profession only under the supervision of a supervisor who is approved for that purpose by the Registrar or a panel of the Registration Committee.

Expiry

15. A certificate of registration for a psychologist authorizing supervised practice expires on the date set out on the certificate, which date shall be no earlier than 12 months after the date the certificate of registration was issued and no more than 24 months after the date the certificate of registration was issued.

CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGICAL ASSOCIATE AUTHORIZING AUTONOMOUS PRACTICE

Certificates of registration for a psychological associate authorizing autonomous practice

16. (1) Subject to subsections (2) to (8), to qualify for a certificate of registration for a psychological associate authorizing autonomous practice, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must have obtained a master's degree from a psychology program which,
 - i. is offered at an institution that is,
 - A. a Canadian institution that is legally authorized to grant the degree,
 - B. an institution in the United States of America that is accredited,

1. by an accrediting body recognized by the United States Secretary of Education as a reliable authority concerning the quality of education or training offered by institutions of higher learning, or
2. by another accrediting body approved by Council, or
- C. an institution that is based in a country other than Canada or the United States of America that is considered to be equivalent to an institution described in sub-subparagraph A,
 1. by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services, or
 2. by another foreign credential evaluation service approved by Council,
- ii. requires as a prerequisite for admission to the program that the applicant have taken a minimum of 576 hours of undergraduate instruction in psychology, and
- iii. includes,
 - A. at least 36 hours of instruction in each of the areas of,
 1. psychological assessment,
 2. psychological intervention,
 3. professional ethics and standards for psychology,
 4. research design, methodology and statistics,
 5. biological bases of behaviour,
 6. social bases of behaviour,
 7. cognitive-affective bases of behaviour, and
 8. psychology of the individual,
 - B. a supervised psychology practicum or psychology internship, and
 - C. at least one academic year of full-time resident graduate study and training or the equivalent in part-time resident graduate study and training.
2. Following the awarding of the degree described in paragraph 1, the applicant must have performed at least 6,000 hours of practice of the profession over at least four years while under the supervision of a member holding either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.
3. The applicant must have performed, while being a member holding a certificate of registration for a psychological associate authorizing supervised practice, at least 1,500 hours of practice of the profession while under the supervision of a member who meets the requirements in subsection 23 (2).
4. The applicant must have passed the Examination for Professional Practice in Psychology administered by the Association of State and Provincial Psychology Boards or one or more other examinations of knowledge or competence set or approved by the Council or by a body that is approved by the Council for that purpose.
5. The applicant must have passed the oral examination set or approved by the Council.
6. The applicant must have passed the Jurisprudence and Ethics Examination set or approved by the Council.
7. The applicant must have completed all further professional training or experience that, in the opinion of a panel of the Registration Committee, is required to ensure the competence of the applicant for autonomous practice as a psychological associate in their intended area of practice.
 - (2) An institution shall only be considered as meeting the requirements of sub-subparagraph 1 i C of subsection (1) where the degree has been evaluated by the foreign credential evaluation service referred to in that sub-subparagraph as being equivalent in level to a master's degree offered at a university in Canada.
 - (3) Where an applicant has a master's degree from a psychology program that meets the requirements in subparagraphs 1 i and ii of subsection (1), but that does not meet the requirements set out in subparagraph 1 iii of that subsection, the applicant shall be considered to have met the requirements in subparagraph 1 iii of that subsection if,
 - (a) the program is considered by a panel of the Registration Committee to be substantially similar, but not equivalent, to a program that meets the requirements; and
 - (b) the applicant successfully completes the additional education or training, if any, that is specified by a panel of the Registration Committee.

(4) It is sufficient compliance with subparagraph 1 iii of subsection (1) if the hours of instruction described in sub-sub-paragraphs A 5 to 8 of that subparagraph are taken, in whole or in part, at an undergraduate level beyond that of a first-year course.

(5) Where, at the time of application, an applicant is registered or licensed to practise in a jurisdiction outside of Canada, they do not have to meet the requirements in paragraphs 1, 2, 3, 4, 5 and 7 of subsection (1) if the following requirements are met:

1. The applicant must be registered as a psychological associate in good standing in a jurisdiction,
 - i. with which the College has a reciprocity agreement as of the date of the applicant's application, or
 - ii. that is considered by a panel of the Registration Committee to have registration requirements equivalent to those of the College for the issuance of a certificate of registration for a psychological associate authorizing autonomous practice.
2. The applicant must have attended an interview conducted by a panel of interviewers appointed by the Registrar and been assessed by that panel as being competent to practise in the area of the profession that they intend to practise in.
3. Where the applicant is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychological associate authorizing autonomous practice at any time during the 24-month period preceding their application, the applicant must meet any further requirement to undertake, obtain or undergo any additional training, experience, examinations or assessments that, in the opinion of a panel of the Registration Committee, is required to ensure the competence of the applicant for autonomous practice as a psychological associate in their intended area of practice.

(6) Where an applicant is a member in good standing holding an Academic certificate of registration, the Registrar shall issue that member a certificate of registration for a psychological associate authorizing autonomous practice if the member,

- (a) was, at the time of being issued their Academic certificate of registration, a member holding a certificate of registration for a psychological associate authorizing autonomous practice;
- (b) applies, in writing, to the Registrar for a certificate of registration for a psychological associate authorizing autonomous practice not less than 60 days before the applicant proposes to begin practising as a member holding a certificate of registration for a psychological associate authorizing autonomous practice; and
- (c) has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel are required to ensure current competence in the proposed practice areas.

(7) Where an applicant is a member in good standing holding an Inactive certificate of registration, the Registrar shall issue that member a certificate of registration for a psychological associate authorizing autonomous practice if the member,

- (a) was, at the time of being issued their Inactive certificate of registration, a member holding a certificate of registration for a psychological associate authorizing autonomous practice;
- (b) applies, in writing, to the Registrar for a certificate of registration for a psychological associate authorizing autonomous practice not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a psychological associate authorizing autonomous practice; and
- (c) has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the proposed practice areas.

(8) Where an applicant is a member in good standing holding a Retired certificate of registration, the Registrar shall issue that member a certificate of registration for a psychological associate authorizing autonomous practice if the member,

- (a) was, at the time of being issued their Retired certificate of registration, a member holding a certificate of registration for a psychological associate authorizing autonomous practice;
- (b) applies, in writing, to the Registrar for a certificate of registration for a psychological associate authorizing autonomous practice no more than 24 months after the member was issued a Retired certificate of registration and not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a psychological associate authorizing autonomous practice; and
- (c) has satisfied the conditions imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the proposed practice areas.

Labour mobility

17. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a psychological associate authorizing autonomous practice, the applicant is deemed to have met the requirements set out in paragraphs 1, 2, 3, 4, 5 and 7 of subsection 16 (1).

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychological associate in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychological associate authorizing autonomous practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

18. It is a term, condition and limitation of every certificate of registration for a psychological associate authorizing autonomous practice that the member shall practise the profession only within,

- (a) practice areas of the profession that are authorized for that member by the Registrar or a panel of the Registration Committee; or
- (b) other practice areas where the member's practice is performed under the supervision of a member who is authorized by the Registrar or a panel of the Registration Committee to practise in the relevant practice areas and who holds either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.

CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGICAL ASSOCIATE AUTHORIZING INTERIM AUTONOMOUS PRACTICE

Certificates of registration for a psychological associate authorizing interim autonomous practice

19. To qualify for a certificate of registration for a psychological associate authorizing interim autonomous practice, it is a non-exemptible requirement that the applicant be registered as a psychological associate in good standing in a jurisdiction,

- (a) with which the College has a written reciprocity agreement as of the date of the applicant's application; or
- (b) that is considered by a panel of the Registration Committee to have requirements equivalent to those of the College for a certificate of registration for a psychological associate authorizing autonomous practice.

Labour mobility

20. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a psychological associate authorizing interim autonomous practice, the applicant is deemed to have met the requirements set out in section 19 of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychological associate in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychological associate authorizing interim autonomous practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

21. It is a term, condition and limitation of every certificate of registration for a psychological associate authorizing interim autonomous practice that the member shall practise the profession only within,

- (a) practice areas of the profession that are authorized for that member by the Registrar or a panel of the Registration Committee; or
- (b) other practice areas where the member's practice is performed under the supervision of a member who is authorized by the Registrar or by a panel of the Registration Committee to practise in the relevant practice areas and who holds either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.

Expiry

22. A certificate of registration for a psychological associate authorizing interim autonomous practice expires 12 months after the date on which it was issued.

CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGICAL ASSOCIATE AUTHORIZING SUPERVISED PRACTICE

Certificates of registration for a psychological associate authorizing supervised practice

23. (1) To qualify for a certificate of registration for a psychological associate authorizing supervised practice, an applicant must comply with the following non-exemptible registration requirements:

1. Meeting the requirements in paragraphs 1 and 2 of subsection 16 (1).
 2. Having provided to the College a signed undertaking from two supervisors in which the supervisors undertake to train the proposed member and supervise and evaluate the proposed member's practice and to provide reports in the form and manner as specified by the Registrar or a panel of the Registration Committee.
- (2) A signed undertaking shall not be considered as satisfying the requirement in paragraph 2 of subsection (1) unless each proposed supervisor who signed the undertaking meets all of the following requirements:
1. They must be a member holding either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice.
 2. Their certificate of registration must not be subject to any term, condition or limitation that was imposed as a result of a disciplinary proceeding or a fitness to practise proceeding.
 3. They must not be the subject of any ongoing disciplinary or fitness to practise proceeding.
 4. They must be authorized by the Registrar or a panel of the Registration Committee to practise in the same practice areas and with the same client groups as those of the individual who is to be under their supervision.

Labour mobility

24. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a psychological associate authorizing supervised practice, the applicant is deemed to have met the requirements set out in paragraph 1 of subsection 23 (1) of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychologist in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology to the extent that would be permitted by a certificate of registration for a psychological associate authorizing supervised practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

25. It is a term, condition and limitation of every certificate of registration for a psychological associate authorizing supervised practice that the member shall practise the profession only under the supervision of a supervisor who is approved for that purpose by the Registrar or a panel of the Registration Committee.

Expiry

26. A certificate of registration for a psychological associate authorizing supervised practice expires on the date set out on the certificate which date shall be no earlier than 12 months after the date the certificate of registration was issued and no more than 24 months after the date the certificate of registration was issued.

CERTIFICATES OF REGISTRATION FOR A BEHAVIOUR ANALYST AUTHORIZING AUTONOMOUS PRACTICE

Certificates of registration for a behaviour analyst authorizing autonomous practice

27. (1) Subject to subsections (2) to (6), to qualify for a certificate of registration for a behaviour analyst authorizing autonomous practice, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must have obtained,
 - i. a post-graduate degree, at a minimum master's level, from a Canadian institution that is legally authorized to grant the degree and have successfully completed coursework in behaviour analysis recognized by a body approved by the Council for that purpose,
 - ii. a post-graduate degree, at a minimum master's level, that is considered by a panel of the Registration Committee to be equivalent to a degree described in subparagraph i, and have successfully completed coursework in behaviour analysis recognized by a body approved by the Council for that purpose,
 - iii. a post-graduate degree, at a minimum master's level, from a program in behaviour analysis accredited by a body, and at an accreditation level, approved by the Council for that purpose, or
 - iv. education and training in behaviour analysis outside of Canada that is considered by a panel of the Registration Committee to be substantially similar to the requirements described in subparagraph i.
2. The applicant must have completed a minimum of 1,500 hours of supervised practice in applied behaviour analysis approved by the Registrar or a panel of the Registration Committee and performed while being a member holding a certificate of registration for a behaviour analyst authorizing supervised practice and while under the supervision of a member who meets the requirements in subsection 31 (3).
3. The applicant must have passed the examination of knowledge or competence set or approved by the Council or by a body that is approved by the Council for that purpose.
4. The applicant must have demonstrated successful completion of an assessment of Jurisprudence and Ethics knowledge in a manner or form approved by the Council.
5. The applicant must have completed all further professional training or experience that, in the opinion of a panel of the Registration Committee, is required to ensure the competence of the applicant for autonomous practice as a behaviour analyst.

(2) An applicant who has obtained a degree from a program described in subparagraph 1 iv of subsection (1) shall not be considered to have met the requirements of paragraph 1 of subsection (1) unless the applicant has successfully completed such further assessment, training or supervised experience, if any, which, in the opinion of a panel of the Registration Committee, is required to ensure that the applicant has competencies equivalent to those of an applicant who has obtained a post-graduate degree, at a minimum master's level, and completed required coursework in behaviour analysis as described in subparagraph 1 i of subsection (1).

(3) An applicant who, at the time of application, is registered, licensed or certified to practise applied behaviour analysis outside of Ontario, and who has been practising as a behaviour analyst at any point during the 24 months prior to submitting their application, is not required to meet the requirements in paragraphs 1, 2, 3 and 5 of subsection (1) if the following requirements are met:

1. The applicant must,
 - i. be registered as a behaviour analyst in good standing in a jurisdiction that is considered by a panel of the Registration Committee to have registration requirements equivalent to those of the College for the issuance of a certificate of registration for a behaviour analyst authorizing autonomous practice, or
 - ii. be certified by a body that is approved by Council for that purpose with a certification type and status approved by Council and is in good standing with that body as of the date of the application.
2. It is a non-exemptible registration requirement that an applicant referred to in subparagraph 1 i provide one or more certificates, letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a behaviour analyst in every jurisdiction where the applicant holds an out-of-province certificate.
3. It is a non-exemptible registration requirement that an applicant referred to in subparagraph 1 ii provide one or more certificates, letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a behaviour analyst with the certification body approved by the Council for that purpose.
4. The applicant must have attended an interview conducted by a panel of interviewers appointed by the Registrar and been assessed by that panel as being competent to practise the profession.

5. Where the applicant is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of applied behaviour analysis to the extent that would be permitted by a certificate of registration for a behaviour analyst authorizing autonomous practice at any time during the 24-month period preceding their application, the applicant must meet any further requirement to undertake, obtain or undergo any additional training, experience, examinations or assessments that, in the opinion of a panel of the Registration Committee, are required to ensure the competence of the applicant for autonomous practice as a behaviour analyst.
- (4) Where an applicant is a member in good standing holding an Academic certificate of registration, the Registrar shall issue that member a certificate of registration for a behaviour analyst authorizing autonomous practice if the member,
- was, at the time of being issued their Academic certificate of registration, a member holding a certificate of registration for a behaviour analyst authorizing autonomous practice;
 - applies, in writing, to the Registrar for a certificate of registration for a behaviour analyst authorizing autonomous practice not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a behaviour analyst authorizing autonomous practice; and
 - has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the practice of applied behaviour analysis.
- (5) Where an applicant is a member in good standing holding an Inactive certificate of registration, the Registrar shall issue that member a certificate of registration for a behaviour analyst authorizing autonomous practice if the member,
- was, at the time of being issued their Inactive certificate of registration, a member holding a certificate of registration for a behaviour analyst authorizing autonomous practice;
 - applies, in writing, to the Registrar for a certificate of registration for a behaviour analyst authorizing autonomous practice not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a behaviour analyst authorizing autonomous practice; and
 - has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the practice of applied behaviour analysis.
- (6) Where an applicant is a member in good standing holding a Retired certificate of registration, the Registrar shall issue that member a certificate of registration for a behaviour analyst authorizing autonomous practice if the member,
- was, at the time of being issued their Retired certificate of registration, a member holding a certificate of registration for a behaviour analyst authorizing autonomous practice;
 - applies, in writing, to the Registrar for a certificate of registration for a behaviour analyst authorizing autonomous practice no more than 24 months after the member was issued a Retired certificate of registration and not less than 60 days before the applicant proposes to start practising as a member holding a certificate of registration for a behaviour analyst authorizing autonomous practice; and
 - has satisfied the conditions, if any, imposed by a panel of the Registration Committee which, in the opinion of the panel, are required to ensure current competence in the practice of applied behaviour analysis.

Labour mobility

28. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a behaviour analyst authorizing autonomous practice, the applicant is deemed to have met the requirements set out in paragraphs 1, 2, 3, and 5 of subsection 27 (1) of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a behaviour analyst in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of applied behaviour analysis to the extent that would be permitted by a certificate of registration for a behaviour analyst authorizing autonomous practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

29. It is a term, condition and limitation of every certificate of registration for a behaviour analyst authorizing autonomous practice that the member shall practise the profession only within the areas of applied behaviour analysis in which the member has knowledge, skill and judgement.

Transitional

30. For the first 24 months after the day this section comes into force, the following apply to an applicant described in paragraph 1 or paragraph 2, as the case may be:

1. Paragraphs 1, 2, and 3 of subsection 27 (1) do not apply in respect of an application for a certificate of registration for a behaviour analyst authorizing autonomous practice where the applicant was certified by a body that is approved by the Council for that purpose with a certification type and status approved by the Council by the date this section comes into force and is in good standing with that body.
2. Paragraphs 1 and 2 of subsection 27 (1) do not apply in respect of an application for certificate of registration for a behaviour analyst authorizing autonomous practice where the applicant who made the application had been practising as a behaviour analyst at any point within or during the three years prior to this section coming into force and meets the following additional non-exemptible requirements:
 - i. The applicant must have engaged in practice in Canada, or in a jurisdiction outside Canada that regulates behaviour analysts, within the scope of practice of applied behaviour analysis, for at least 1,500 hours during the four-year period that immediately preceded the date that the applicant submitted their application.
 - ii. The applicant must provide evidence satisfactory to the Registrar or the Registration Committee of competence to practise as a behaviour analyst responsible for independent clinical decision-making.

CERTIFICATES OF REGISTRATION FOR A BEHAVIOUR ANALYST AUTHORIZING SUPERVISED PRACTICE

Certificates of registration for a behaviour analyst authorizing supervised practice

31. (1) To qualify for a certificate of registration for a behaviour analyst authorizing supervised practice, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant meets the requirements set out in paragraph 1 of subsection 27 (1).
2. The applicant must provide to the College a signed undertaking from a supervisor in which the supervisor undertakes to train the proposed member and supervise and evaluate the proposed member's practice and to provide reports in the form and manner as specified by the Registrar or a panel of the Registration Committee.

(2) An applicant who has obtained a degree from a program described in subparagraph 1 iv of subsection 27 (1) shall not be considered to have met the requirements of paragraph 1 of subsection (1) of this section unless the applicant has successfully completed such further assessment, training or supervised experience, if any, which, in the opinion of a panel of the Registration Committee, is required to ensure that the applicant has competencies equivalent to those of an applicant who has obtained a degree from a program described in subparagraph 1 i of subsection 27 (1).

(3) A signed undertaking shall not be considered as satisfying the requirement in paragraph 2 of subsection (1) unless the proposed supervisor who signed the undertaking meets all of the following requirements:

1. They must be a member who holds a certificate of registration for a behaviour analyst authorizing autonomous practice or, for the first 24 months after this section comes into force, an individual who provides evidence satisfactory to the Registration Committee that they meet the requirements for a certificate of registration authorizing autonomous practice.
2. Their certificate of registration must not be subject to any term, condition or limitation that was imposed as a result of a disciplinary proceeding or a fitness to practise proceeding.
3. They must not be the subject of any ongoing disciplinary proceeding or fitness to practise proceeding.
4. They must meet any other requirements established by the College to ensure competence in supervision.

Labour mobility

32. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration for a behaviour analyst authorizing supervised practice, the applicant is deemed to have met the requirements set out in paragraph 1 of subsection 31 (1) of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a behaviour analyst in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of applied behaviour analysis to the extent that would be permitted by a

certificate of registration for a behaviour analyst authorizing supervised practice at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

33. It is a term, condition and limitation of every certificate of registration for a behaviour analyst authorizing supervised practice that the member shall practise the profession only under the supervision of a supervisor who is approved for that purpose by the Registrar or a panel of the Registration Committee.

Expiry

34. A certificate of registration for a behaviour analyst authorizing supervised practice expires on the date set out on the certificate, which date shall be no earlier than 12 months after the date the certificate of registration was issued and no more than 24 months after the date the certificate of registration was issued.

ACADEMIC CLASS OF CERTIFICATES OF REGISTRATION

Academic class of certificates of registration

35. To qualify for an Academic certificate of registration, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must occupy a full-time or regular academic position on the faculty of an Ontario university, or in a degree program in behaviour analysis at an Ontario university or other Ontario post-secondary institution.
2. The applicant must be a member in good standing who holds either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice or a certificate of registration for a behaviour analyst authorizing autonomous practice and,
 - i. whose certificate of registration is not subject to any term, condition or limitation that was imposed as a result of a disciplinary proceeding or a fitness to practise proceeding,
 - ii. who is not in default of any obligation to the College, including payment of the annual membership fee, and
 - iii. who is not the subject of any ongoing disciplinary or fitness to practise proceeding.

Labour mobility

36. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for an Academic certificate of registration, the applicant is deemed to have met the requirements set out in paragraph 2 of section 35 of this Regulation.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a psychologist or behaviour analyst in every jurisdiction where the applicant holds an out-of-province certificate.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of psychology or applied behaviour analysis to the extent that would be permitted by an Academic certificate of registration at any time in the two years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Terms, conditions and limitations

37. It is a term, condition and limitation of every Academic certificate of registration that the member not provide intervention, assessment or consultation services or, in the case of a behaviour analyst, applied behaviour analysis services, to individual clients, groups of clients or organizations and not supervise persons in providing those services.

INACTIVE CLASS OF CERTIFICATES OF REGISTRATION

Inactive class of certificates of registration

38. To qualify for an Inactive certificate of registration, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must submit their application to the Registrar not less than 60 days before the applicant intends to cease practising the profession.
2. The applicant must be a member in good standing who holds either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice, or a certificate of registration for a behaviour analyst authorizing autonomous practice and,
 - i. whose certificate of registration is not subject to any term, condition or limitation that was imposed as a result of a disciplinary proceeding or a fitness to practise proceeding,
 - ii. who is not in default of any obligation to the College, including payment of the annual membership fee, and
 - iii. who is not the subject of any ongoing disciplinary or fitness to practise proceeding.

Terms, conditions and limitations

39. It is a term, condition and limitation of every Inactive certificate of registration that the member shall not practise the profession.

RETIRED CLASS OF CERTIFICATES OF REGISTRATION

Retired class of certificates of registration

40. To qualify for a Retired certificate of registration, an applicant must comply with the following non-exemptible registration requirements:

1. The applicant must submit their application to the Registrar not less than 60 days before the applicant intends to cease practising the profession.
2. The applicant must be a member in good standing who holds either a certificate of registration for a psychologist authorizing autonomous practice or a certificate of registration for a psychological associate authorizing autonomous practice, or a certificate of registration for a behaviour analyst authorizing autonomous practice and,
 - i. whose certificate of registration is not subject to any term, condition or limitation that was imposed as a result of a disciplinary proceeding or a fitness to practise proceeding,
 - ii. who is not in default of any obligation to the College, including payment of the annual membership fee, and
 - iii. who is not the subject of any ongoing disciplinary or fitness to practise proceeding.

Terms, conditions and limitations

41. It is a term, condition and limitation of every Retired certificate of registration that the member shall not practise the profession.

TEMPORARY EMERGENCY CLASS OF CERTIFICATES OF REGISTRATION

Temporary emergency class of certificates of registration

42. The following are non-exemptible registration requirements for a certificate of registration as a psychologist or psychological associate [or behaviour analyst](#) in the temporary emergency class:

1. The Minister must have requested that the College initiate registrations under this class based on the Minister's opinion that emergency circumstances call for it or the Council must have determined, after taking into account all of the relevant circumstances that impact the ability of applicants to meet the ordinary registration requirements, that there are emergency circumstances, and that it is in the public interest that the College issue emergency certificates.
2. The member must hold,
 - i. a certificate of registration that authorizes the applicant to practise the profession in another Canadian jurisdiction,
 - ii. an Inactive Class of Certificate of Registration that has been in effect for less than two years, or
 - iii. a Retired Class of Certificate of Registration that has been in effect for less than two years. O. Reg. 297/23, s. 2.

Terms, conditions and limitations

43. The following are the conditions of a certificate of registration in the temporary emergency class:

1. The member must practise the profession only within the scope of their skills, knowledge and judgment.

2. The member must attest that they have familiarized themselves with the provisions of Ontario Regulation ~~801/93~~193/23 (Professional Misconduct) made under the Act and the College's Standards of Professional Practice and agree to practice in compliance with these.
3. The member must maintain professional liability insurance in the amount and in the form required by the by-laws.
4. The member must promptly and, in any event, within five business days, advise the College in writing if the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of psychology in Ontario.
5. The member may only use the title "Temporary Emergency Psychologist" or "Temporary Emergency Psychological Associate" or "Temporary Emergency Behaviour Analyst" or the designations "C.Psych. (temporary emergency class)" or "C.Psych.Assoc. (temporary emergency class)" or "R.B.A. (Ont.) (temporary emergency class)" or a variation or equivalent in another language. O. Reg. 297/23, s. 2.

Expiry, movement to psychologist authorizing autonomous practice class or psychological associate authorizing autonomous practice class or behaviour analyst authorizing autonomous practice class

44. (1) Unless stated otherwise on the certificate, a certificate of registration in the temporary emergency class expires one year after it is issued unless it is renewed. O. Reg. 297/23, s. 2.

(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the temporary emergency class expires one year after it is issued unless it is renewed again. O. Reg. 297/23, s. 2.

(3) Despite subsections (1) and (2), a certificate of registration in the temporary emergency class expires six months after the date the Council determines that the emergency circumstances referred to in paragraph 1 of section 33.1 have ended. O. Reg. 297/23, s. 2.

(4) A person who holds a temporary emergency certificate of registration or who held a temporary emergency certificate of registration within the six months prior to applying may be issued a certificate of registration as a psychologist authorizing autonomous practice or a certificate of registration as a psychological associate authorizing autonomous practice, if they request, in writing, that the Registrar issue them a certificate of registration as a psychologist authorizing autonomous practice or a certificate of registration as a psychological associate authorizing autonomous practice. O. Reg. 297/23, s. 2.

(5) A person referred to in subsection (4) must successfully complete the Jurisprudence and Ethics Examination referred to in paragraph 5 of subsection 5 (1) within 12 months of issuance of the certificate of registration as a psychologist authorizing autonomous practice or the certificate of registration as a psychological associate authorizing autonomous practice unless they have previously successfully completed the required examination. O. Reg. 297/23, s. 2.

(6) A person who holds a temporary emergency certificate of registration or who held a temporary emergency certificate of registration within the six months prior to applying may be issued a certificate of registration as a behaviour analyst authorizing autonomous practice, if they request, in writing, that the Registrar issue them a certificate of registration as a behaviour analyst authorizing autonomous practice. O. Reg. 297/23, s. 2.

(7) A person referred to in subsection (6) must successfully complete the assessment of Jurisprudence and Ethics knowledge referred to in paragraph 4. of subsection 27 (1) within 12 months of issuance of the certificate of registration as a behaviour analyst authorizing autonomous practice unless they have previously successfully completed the required assessment. O. Reg. 297/23, s. 2.

EXPIRY, REINSTATEMENT, ETC.

Expiry on issuance of new certificate

45. (1) A person's certificate of registration expires immediately if the Registrar issues another certificate of registration to the person.

(2) Despite subsection (1), a person may hold a certificate of registration in each of the professions regulated by the College if they meet the registration requirements to practise as a psychologist or psychological associate and meet the registration requirements to practise as a behaviour analyst.

Reinstatement

46. If the Registrar suspends a member's certificate of registration pursuant to section 24 of the Health Professions Procedural Code for failure to pay a fee, the Registrar may lift the suspension within two years from the date of suspension on the payment of,

- (a) the fee the member failed to pay; and
- (b) all applicable fees and penalties required under the by-laws.

47. OMITTED (REVOKES OTHER REGULATIONS).

48. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).



BRIEFING NOTE

2024.01.03B

FEBRUARY 2024 COUNCIL MEETING

DRAFT STANDARDS OF PROFESSIONAL CONDUCT, 2024

STRATEGIC DIRECTION REFLECTION

Excellence in Care

MOTION FOR CONSIDERATION

To approve circulation of the Draft *Standards of Professional Conduct* to College members and other relevant stakeholders for consultation.

Moved By TBD

PUBLIC INTEREST RATIONALE

The context in which members have been providing services is dynamic and has changed substantially since September 2017, when the current *Standards* were approved. While minor enhancements have been made since then, the *Standards* were due for a full review. Modernizing the *Standards* will provide more appropriate guidance to members which will better protect the public from misconduct.

BACKGROUND

The *Standards of Professional Conduct (2017)* contained the first major changes made to the *Standards* since 2005. Given that applied behaviour analysis (ABA) will be regulated by the College as of July 1, 2024, and that there have been changes in the practice environments of many existing members, it was believed necessary to update the *Standards* in order to ensure their relevance and applicability to the practice of both ABA and psychology.

The review was conducted by a Working Group appointed by the Executive Committee of the College. The Working Group was comprised of Council and College members representing a diversity of identities (e.g., race and gender) and various practice settings. It also included practitioners of ABA and psychology, as well as a public member of the College.

The Working Group unanimously decided to develop a single unified set of *Standards* that would be applicable to the professions of psychology and ABA. The review, as well as the recommended changes, were informed by the values of public interest and protection, clarity, freedom from ambiguity and ease of enforceability. The review began with a survey of relevant stakeholders, eliciting feedback about the current *Standards*. The survey was sent to all College members as well as relevant professional associations and other stakeholders, including FSRA, ACPRO members, school boards, as well as those on the College's distribution lists. The College received a total of 98 responses, 81 of which were from College members. Input was also obtained from the Practice Advisory Service of the College as well as the College's Investigations and Hearings team.

The Working Group recommends that the attached set of *Standards* be circulated for comment by relevant stakeholders. Due to the extent of the changes, the restructuring of the document and the changes in language-level to ensure accessibility, a tracked change version is too complex to follow. The attached document does, however, contain ‘comment bubbles’ indicating the nature of significant changes proposed.

Although outside of the scope of this Working Group, concerns were noted with the College’s current “authorized practice areas” and “client groups” that fall outside of the Registration regulation. Particular concerns were raised with the applicability of age-based client groups, meeting complex client needs, and the impact on research, teaching, and leadership/managerial roles. It is recommended that the College examine the practice of other Canadian psychology jurisdictions to compare and evaluate whether Ontario’s structure is meeting the needs of the public.

OPTIONS

1. Reject the proposal and either seek amendment or maintain the status quo.
2. Circulation of the proposed *Standards* for comment before considering whether to approve them as drafted.

RISK

Failure to update the *Standards* may result in inadequate regulation and risk to the public. No significant risks are associated with the adoption of new *Standards*, other than the possibility that a *Standard* will either increase risk to the public or not be enforceable. Any increased risk to the public associated with revised *Standards* will be identified through further stakeholder consultation and enforceability will be addressed by College prosecution counsel, following consideration by Council.

BUDGETARY IMPLICATIONS

None.

NEXT STEPS

Upon approval:

- Circulation to stakeholders for comment
- Any further amendments deemed necessary following consultation
- Consideration of final proposed *Standards* for approval by Council

ATTACHMENTS

1. Draft Standards of Professional Conduct, 2024

CONTACT FOR QUESTIONS

Barry Gang, MBA, Dip.C.S., C.Psych.Assoc., Deputy Registrar and Director of Professional Affairs

Standards of Professional Conduct, 2024

APPLICABILITY: These Standards are applicable to the practice of psychology and applied behaviour analysis (“the professions”) and other professional activities requiring the application of knowledge and skill associated with the practice of the professions, by all registrants of the College and all individuals providing services under the supervision of a registrant.

The Standards are intended to assist registrants in making professional judgments of an ethical nature and are not intended to determine clinical, technical or legal matters.

For the purposes of *O. Reg. 195/23: PROFESSIONAL MISCONDUCT*, made under the *Psychology and Applied Behaviour Analysis Act, 2021*, “standards of the profession” include the Standards of Professional Conduct (2017) as well as the nature of conduct reasonably expected of registrants

DEFINITIONS

The **College:** The College of Psychologists and Behaviour Analysts of Ontario.

Client: an entity receiving psychological services, regardless of who has arranged or paid for those services. A client can be a person, couple, family or other group of individuals with respect to whom the services are provided. A person who is a “client” is synonymous with a “patient” with respect to the administration of the [Regulated Health Professions Act \(1991\)](#).

Consultation: the provision of information or advice, in a relationship where the recipient of the information or advice is not required to act on the information or advice and the consultee is not accountable to the consultant. Consultation is not supervision and does not include assessing, diagnosing or intervening with a patient, regardless of whether or not there is direct contact between the registrant and the patient. In these cases, the requirements applicable to the practice of the profession with those service recipients will apply.

Fulfilling the Requirements to Become a Registrant of the College means actively completing the necessary graduate level education that will render them eligible for registration, and/or gaining the supervised practical experience necessary to become a registrant, whether or not all of the academic eligibility criteria have yet been met.

The **practice of psychology** is the assessment of behavioral and mental conditions, the diagnosis of neuropsychological disorders and dysfunctions and psychotic, neurotic and personality disorders and dysfunctions and the prevention and treatment of behavioral and mental disorders and dysfunctions and the maintenance and enhancement of physical, intellectual, emotional, social, and interpersonal functioning. (*Psychology and Applied Behaviour Analysis Act, 2021*)

The **practice of applied behaviour analysis** is the assessment of covert and overt behaviour and its functions through direct observation and measurement, and the design, implementation, delivery, and evaluation of interventions derived from the principles of behaviour in order to produce meaningful improvements. (*Psychology and Applied Behaviour Analysis Act, 2021*)

Organization: an entity, such as a business, community or government that receives services that are directed primarily at the organization, rather than to the individuals associated with that organization, regardless of who funds the services

Registrant: a behaviour analyst, psychologist or psychological associate registered with the College; synonymous with the term “member”.

Supervision: an ongoing educational, evaluative, and hierarchical relationship, where the supervisee is required to adhere to the Standards of Professional Conduct and comply with the direction of the supervisor, and the supervisor is responsible for ensuring that the service provided to each recipient of services is competent and ethical. It is not consultation or delegation.

1. Acceptance of Professional Regulation

1.1 General Conduct

Registrants must uphold professional conduct in alignment with the following hierarchy:

- a. Legislation
- b. Regulations under the legislation
- c. Standards of Professional Conduct
- d. College-endorsed Codes of Ethics

1.2 Participation in College programs

Registrants must actively participate in all College programs relevant to their registration status, including, but not limited to, the Quality Assurance program. Should participation pose difficulties, registrants are required to notify the College promptly.

1.3 Responding to the College

Registrants must be responsive to and cooperate with the College. This includes:


- a. Promptly providing requested information to the College when asked
- b. Abiding by agreements to commitments made with the College

1.4 Provision of Regulatory information to Clients

Registrants must be transparent in their communications with clients about the College. Upon request from any service recipient, registrants must:

- a. Furnish information about the College’s mandate and functions
- b. Provide contact details for the College
- c. Supply information on governing statutes, regulations, Standards, and relevant ethical codes endorsed by the College

1.5 Employment Settings

Registrants working as employees must demonstrate  efforts to ensure that their work settings:

- a. Adhere to applicable statutes, regulations, codes of ethics, and guidelines
- b. Comply with relevant Standards in the planning, delivery, supervision, and billing practices for all services.

See also: 2.1 (Organizational Constraints and Conflicts)

2. Protecting the Rights and Meeting the Needs of Service Recipients

2.1 Organizational Constraints and Conflicts

The well-being and rights of individuals receiving professional services from, or under the supervision of, registrants take precedence over organizational constraints, except where mandated by law. In instances of conflicting requirements, registrants should strive to resolve these conflicts in the recipients' best interests, unless doing so poses serious personal or professional risks to the registrant.

Practical Applications:

Registrants required by an employer to engage in conduct which is contrary to the Standards of the Profession are expected to advocate for changes within the workplace but are not expected to put livelihood at risk. Examples of such conflicts include, but are not limited to, the presentation of professional credentials, supervision arrangements, the contents of records. Where an employer expects a registrant to act in a way that is contrary to a Statute or Regulation, including the Professional Misconduct Regulation, Registrants are encouraged to seek independent legal advice as lack of compliance with Statute or Regulation is tantamount to engaging in an illegal activity. Examples of such conflicts include, but are not limited to, breach of confidentiality, bypassing the need for appropriate consent or failing to make a report concerning harm to an individual as required by law.

2.2 Responsibility for psychological services

Registrants, whether operating individually, in partnerships, or as shareholders within a health professional corporation, must assume responsibility for the planning, delivery, supervision, and billing procedures for all services provided.

2.3 Continuity of Services

Registrants are responsible for ensuring continuity of services for each recipient whose services they provide directly or supervise. Barring a client's withdrawal or request to discontinue, services may only be discontinued if reasonable efforts are made to secure alternative services, the client is afforded a fair chance to arrange alternatives, or the continuation of services would pose a serious personal or professional risk to the registrant.

3. Equity, Diversity and Inclusion

Registrants must demonstrate dignity and respect in their professional conduct towards all individuals, in all aspects of their practice. This includes being culturally responsive and practicing consistently with relevant legislation on Harassment and Discrimination and published practice guidelines.

Practical Application: The main pieces of legislation applicable in Ontario in this regard include the Canadian Charter of Rights and Freedoms, Ontario Human Rights Code and the Criminal Code of Canada. These statutes require, among other things, consideration of each individual's experience including, but not limited to, considerations of age, ancestry, colour, culture, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, receipt of public assistance, record of offences, sexual orientation,

and language. Relevant guidelines are posted on the College's [Equity, Diversity, and Inclusion](#) page.

Practical application: When working with a service seeker who is of a different background from the registrant, registrants are encouraged to seek consultation from knowledgeable colleagues, other professionals, or relevant community members including elders and clergy. Registrants are also encouraged to remain current with evolving literature in this regard, seek relevant professional training and consult clinical practice guidelines. For links to several relevant documents, please visit the College's [Equity, Diversity, and Inclusion](#) page.

4. Indirect Service Provision; Supervision and Consultation

4.1 General

- a. Clients receiving supervised psychological services are the supervisor's clients. All professional responsibilities regarding supervision flow from this fundamental premise;
- b. Supervising members must be competent to provide the services undertaken by their supervisee;
- c. Supervising members must assess the knowledge, skills and competence of their supervisee and provide supervision as appropriate to this assessment;
- d. Supervision must be sufficiently intensive to enable active monitoring of goals and progress concerning each service recipient; normally, all clients receiving service since the last supervision session would be discussed during each meeting.

Practical Application: Supervisors are encouraged to meet with supervisees for a minimum of least one per week of meeting in real time, although they may meet with them either more or less frequency, based on the supervisee's demonstrated knowledge, experience and the degree of independence the supervisor deems appropriate.

- e. Supervisors bear full responsibility for all aspects of service, including marketing, public statements, intake procedures, case assignments, obtaining appropriate service consent, billing, receipt issuance, and service termination;
- f. Supervisors may not conduct supervision if it places them in a real or apparent conflict of interest. Supervisors must also avoid multiple relationships.
- g. Supervisors must ensure that a plan is in place for continuity of services, provided either under supervision or directly, in the case of unexpected circumstances preventing supervision from occurring; such a plan must include communication of the changed circumstances to service recipients
- h. When supervising a registrant of another profession, the service is considered to be the practice of the supervisor's profession, and is subject to the supervisor's legislation, regulations, and Professional Conduct Standards.

- i. Supervisors are expected to include the activity of supervision when conducting self-assessment and demonstrate efforts to maintain competence as a supervisor through appropriate continuing professional development

4.2 Purpose of Supervision

Supervisors may engage in supervision only when the supervisee requires it to competently deliver services and to fulfill the College's registration requirements. Outside of these circumstances, registrants should consider offering consultation, training, or mentorship. Supervision may not be provided for the purpose of facilitating third-party payments.

4.3 Communication Regarding Supervised Services

Supervisors must ensure that clients receiving services under their supervision, and relevant other parties, are informed of the following:

- a. The supervision status of the direct service provider, including their credentials.
- b. A change in supervisors
- c. The supervisor's contact information
- d. That they may contact the supervisor directly and/or request a meeting, should they wish.
- e. That, with respect to the limits of confidentiality, the supervisor must have access to all relevant information about the client
- f. The identity of the Health Information Custodian, and that the HIC will control and have access to the file

4.4 Supervision Agreements

Supervisors must establish individual supervision agreements, jointly signed by both themselves and their supervisees, for each supervisory relationship. These agreements should include, at a minimum:

- a. The effective date and anticipated expiry date of the agreement;
- b. Specific duties and responsibilities of the supervisee;
- c. Any constraints placed on the supervisee's activities;
- d. The specific duties and responsibilities of the supervisor;
- e. Expected frequency and duration of supervision meetings;
- f. Method of direct involvement of the supervisor in planning, monitoring, and evaluating services for each client;
- g. Contact information and emergency contacts for both supervisor and supervisee;
- h. Confirmation of the supervisee's commitment to comply with relevant legislation, regulations, and the Standards of Professional Conduct (2024); and
- i. A plan outlining appropriate support for the supervisee and clients in case the supervisor becomes unavailable.
- j. A mechanism for dispute resolution

Practical Application: In institutional settings, such as school boards, hospitals and correctional facilities, only those items listed above which are not included in any employment contracts need be included in a supervision agreement.

4.5 Supervision Records, Documents and Billing

4.5.1 Contents of supervision records

Supervising Registrants must maintain comprehensive records of supervision activities and contacts with their supervisees. These records must include, at minimum:

- a. The date and duration of each supervision meeting;
- b. Information enabling identification of discussed clients at each meeting;
- c. Reasons that any current clients were not discussed.
- d. A summary of discussions related to assessment and intervention matters per meeting;
- e. A summary of discussions regarding ethical, professional, and jurisprudence issues per meeting;
- f. Documentation of any directives given to the supervisee at each meeting;
- g. The supervisee's identified strengths and developmental needs identified at each meeting

Practical Application: It is not necessary to include a client's name within a supervision record, however, sufficient information must be included to allow identification of the client referred to. For example, a member may use initials or a client identification number, if this would enable the member to distinguish between different clients being discussed.

Practical Application: Supervision records are meant to record the interaction between the supervisor and supervisee and focus on the supervisor's evaluation, direction, and support of the supervisee, as well as the supervisee's response to the input of the supervisor; supervisors are responsible for ensuring that those under their supervision maintain records as required under section 9 (Records and Record Keeping) and reflect the contribution of the supervisor to the service delivery.

4.5.2 Retention of Supervision Records

Supervision records must be retained for a minimum of ten years following the client's last relevant clinical contact for any client discussed, or if the client was less than eighteen years of age at the time of their last relevant clinical contact, ten years following the day the client became or would have become eighteen.

(See also: Section 9: Records and Record Keeping)

4.5.3 Formal Correspondence

A supervisor must be clearly identified by name as the supervisor, and their contact information, must be clearly identified on all psychological reports and formal correspondence related to supervised psychological services.

4.5.4 Co-signing documents

A supervisor must co-sign all documents which may be reasonably relied upon to make a decision affecting client care, rights or welfare (see also: Section 9: Records and Record keeping).

4.5.5 Billing of Supervised Services

Supervising members must ensure that billing and receipts for services are in their name, or the name of the psychology professional corporation or their employer. Additionally, these documents must clearly identify the name of the supervising

member and the name, relevant degrees, and professional designations of the supervised psychological service provider.

4.6 Supervision of Controlled Acts

Supervisors may permit the performance of controlled acts only by individuals holding certificates authorizing supervised practice or those in the process of fulfilling registration requirements, and who demonstrate sufficient knowledge, skills, and competencies to perform the acts under supervision. Supervisors must ensure that those performing the controlled acts under their supervision offer competent and ethical service, adhering to all relevant legislation and regulations. The supervisor is responsible for determining the process of performing controlled acts, considering the supervisee's knowledge and competence.

If the supervisee holds neither a Certificate of Registration for Autonomous Practice nor a Certificate of Registration for Supervised Practice, and is not fulfilling the requirements to become a registrant of the College, only the supervising registrant may perform the controlled act of communication of a diagnosis.

4.7 Consultation

Registrants providing ongoing formal consultation (as opposed to supervision) to service providers, regardless of the supervisee's registration with any regulatory organization, must establish a clear agreement, signed by both parties. This agreement must acknowledge that the registrant isn't assuming responsibility for the service provided, and that the recipient of the consultation retains full responsibility for service planning and delivery. Nonetheless, registrants remain accountable for offering competent information in all circumstances.

4.8 Familiarity with Guidelines for Supervised Practice

Supervisors overseeing Registrants with Certificates of Registration for Supervised Practice, and those possessing such certificates, must familiarize themselves with, and adhere to, the Registration Guidelines and Supervision Resource Manual for Registration.

4.9 Second-level Supervision

A Supervisor may allow a supervisee to oversee another service provider only if the supervisee holds a Certificate of Registration for Autonomous Practice or conducts supervision in order to meet College registration requirements. A Supervisor may permit a supervisee to obtain training and mentorship from others, however, all other supervisory responsibilities, including but not limited to ensuring the provision of competent and ethical care of each recipient of service is the direct responsibility of a supervisor registered with the College.

Practical Application: In some contexts, such as the institutional provision of ABA services, a supervisor may allow a supervisee to obtain training and mentorship by someone the supervisor deems qualified and competent but the supervisor must ultimately monitor the services provided under their supervision and must ensure that the care provided is competent and consistent with the Standards of Professional Conduct.

5. Competence

5.1 Authorized Areas of Practice and Populations (Not Applicable to Behaviour Analysts)

When providing psychological services, registrants are required to adhere to their Authorized Areas of Practice and Populations. Registrants may provide other professional services outside of their authorized areas of practice and populations, where those services do not require specialized knowledge, skill and training particular to the area(s) of practice or client population(s) for which they are authorized.

Whether a professional service falls within a Registrant's authorized areas of practice is determined by the nature of the client's difficulty to be addressed; if associated difficulties that are not the focus of the service provision fall outside of a Registrant's authorized area, the Registrant must consult with a Registrant authorized to provide services in that area.

In considering a Registrant's authorized populations, the service recipient's abilities, life circumstances and challenges, must be considered. The ability to work with the service recipient will be established in accordance with the registrant's reasoned determination of which group the recipient falls into. When uncertain, registrants should consult with another registrant with authorization for the specific relevant populations or areas of practice.

Practical Application: In deciding whether one is authorized and competent to provide a service, the nature of the client's presenting difficulties will generally determine whether the member has the appropriate and required authorization. For example, if a client who has suffered a traumatic brain injury has been referred because of a need to assess the nature of their neuropsychological deficits, it is expected that the member providing the assessment would have Clinical Neuropsychology as an authorized area of practice. If the person was referred because of difficulty performing activities of daily living or occupational requirements, it is expected that the member would be authorized in Rehabilitation Psychology. If the person was referred because of suspected anxiety or depression, then it is expected that the member would be authorized in Clinical Psychology.

In cases where the focus of the services is not the person's neuropsychological functioning, as long as the member has obtained the opinion of someone authorized in the area of Clinical Neuropsychology that the person's symptoms are not caused primarily by problems attributable to their neuropsychological functioning, and that the intervention would be appropriate to use with a person with such injury, it may not be necessary to have authorization in the area of Clinical Neuropsychology, although this would be preferable.

Practical Application: There are not always clear demarcations with respect to population groups, particularly with respect to age. Members are expected to use their professional judgment to determine whether in all of the circumstances, the person's status is consistent with the status of those with whom they are authorized to work. For example, when determining whether a client is a child or adolescent, it would be important to consider whether the person's abilities, life circumstances and challenges are consistent with those which would normally be expected within the population groups for which the member is authorized to work.

5.2 Specialized knowledge

Even when a service falls within a registrant’s authorized area of practice or population, a registrant is expected to self-monitor and refrain from conducting activities with which they may be unfamiliar with or not competent to engage in, and which require specialized knowledge, skill or experience.

Practical Application: Although registrants are required to work within their authorized areas of practice and populations, in circumstances where the service is unrelated to a client service, a Registrant may provide services more generally. For example, a psychological services provider providing direct service, supervision or expert witness testimony with respect to an elderly person with known or suspected CNS disorder must be authorized to work with Seniors in the area of clinical neuropsychology.

In contrast, a Registrant authorized to provide clinical psychology services to adults may, without regard to client group,

- act as an administrator of an agency that serves the lifespan of development without regard to their authorized areas of practice or populations
- conduct a research study with psychologically healthy participants for non-clinical purposes and there is no expectation from the public that a clinical service was delivered
- teach an undergraduate course, as long as they have the requisite knowledge themselves; they may only teach a graduate level course intended to prepare a registrant or future registrant for clinical practice in accordance with their authorized areas of practice and populations

5.3 Competence with tools or techniques

Registrants who are not competent with respect to the use of a particular tool or technique, or in addressing specific issues, may use the tool or technique only following consultation with a registrant with the relevant competence.

5.4 Changing/Expanding Area of Authorized Competence

Members seeking to change or expand their professional practice to include a new area or client group, beyond their current authorized area of practice and/or client group, must inform the College. Pursuant to the College’s direction, they must undertake appropriate training, education and supervision, and satisfy any other formal requirements directed by the College. Members wishing to provide services outside of their authorized areas of practice or their authorized populations may do so only under supervision.

6. Presentation of Information to the Public

6.1 Presentation of Qualifications

- a. Registrants must identify themselves by the title granted by the College, specifying the nature of their College-issued Certificate and the degree upon which their registration was granted upon request;
- b. Any of the following applicable limitations must immediately follow a member’s title: “Supervised Practice”, “Retired” or “Inactive”;

- c. The highest academic degree upon which registration is based, or the highest degree; otherwise recognized by the College, must immediately precede the professional title;
- d. The title “Doctor” or a variation, abbreviation or equivalent in another language may only be used in the course of providing or offering to provide, services only if the member:
 - e. has been registered as a Psychologist on the basis of a doctoral degree; or
 - f. was registered as a Psychologist on the basis of a master’s degree but subsequently was awarded a doctoral degree which was recognized by the College;
- g. Additional relevant degrees may be included in a title or job description, following the degree upon which registration was granted;
- h. Registrants may not reference professional association memberships in titles or service descriptions. However, credentials relevant to practicing the profession, requiring successful formal evaluation, may be identified;
- i. As the College doesn't issue specialist designations, Registrants may not claim specialization. They may indicate the focus of their practice, specify that their services are limited to certain activities, or highlight areas of expertise;

6.2 Public Statements

6.2.1 Accuracy of self-representation

Members must not knowingly make false, misleading, or fraudulent public statements regarding their professional activities or associations with individuals or organizations. This includes the direct or implied misrepresentation of their education, experience, or areas of competence. Additionally, members should refrain from misrepresenting their qualifications by displaying affiliations that could wrongly imply sponsorship or certification by an organization unless such sponsorship or certification genuinely exists. Members are permitted to list or display affiliations only if verifiable sponsorship or certification exists.

6.2.2 Correction of Misrepresentation

Registrants may not permit others to misrepresent their qualifications and must demonstrate efforts made to correct misrepresentations made by others, where possible

6.3 Promotion of Professional Practice

- a. Registrants may advertise their practices, but the advertisements must be clearly identified as such;
- b. Registrants may not name a practice in a manner that is misleading or suggests anything untrue;
- c. Public announcements or advertisement may only be permitted in the name of a Registrant with a Certificate of Registration for Autonomous or Interim Autonomous Practice;
- d. Registrants may not compensate media for promotion of a practice;
- e. Testimonials may not be used to promote a registrant’s practice;
- f. Registrants only respond publicly to on-line reviews if the review or response would not allow the identification of a current or past service recipient. In responding they must consider the possibility of harm resulting to the client or former client as a result of the response

- g. Registrants may not engage in direct solicitation of individuals requiring service provision via any medium

(See also: General Regulation: Advertising)

6.4 Provision of Information to the Public

Members who provide information, advice, or comment to the public via any medium must take precautions to ensure that:

- a. The statements are accurate and supportable based on current professional literature or research;
- b. The statements are consistent with the professional standards, policies and ethics currently adopted by the College; and
It would reasonably be expected that an individual member of the public receiving the information would understand that these statements are for information only, that a professional relationship has not been established, and that there is no intent to provide professional services to the individual.

Practical Application:

Registrants who identify themselves as members of the College and wish to make public statements must consider whether or not they are contravening any of the limits of freedom of expression which are set out in relevant legislation, including: hate speech, harassment, discrimination and defamation . (Please also see the Equity, Diversity and Inclusion Standard)

Practical Application: When communicating via social media Registrants

- a. Must avoid the possibility of a dual relationship with a recipient of services, for example, by indicating that one is a “friend” of a recipient of services or by corresponding about personal matters of a social, recreational, or business nature;
 - b. Must not communicate with or about a specific individual, group or family receiving professional services on social media;
 - c. Must demonstrate respect for, and not undermine trust in their profession
 - d. Must not engage in behaviour that interferes with, or is likely to interfere with, the ability to collaborate with others, the delivery of high-quality services or the maintenance of safety or perceived safety of others
 - e. Must not use profane, disrespectful insulting, demeaning, intimidating or abusive language or behaviour in circumstances where they may reasonably be known to be a Registrant.
- Registrants may not respond publicly to on-line reviews if the review would allow the identification of a current or past service recipient and in doing so must consider the possibility of harm resulting to the client or former client as a result of the response
 - Collecting personal health information about an identifiable service recipient using any medium, including social media requires the service recipient or an authorized substitute decision maker’s consent; even if collecting information about service recipient with appropriate consent, registrants must consider how collecting information from a public source may impact on ones’ professional relationship with a service recipient (see also: Section 8: Confidentiality and Privacy)

7. Consent

7.1 Obtaining Consent

Registrants must ensure they have obtained informed and capable consent prior to the commencement of services. The following principles apply to obtaining appropriate consent:

- a. Registrants should ensure they are familiar with and are following the legal requirements for obtaining consent, or proceeding without consent, particular to the service they are providing;
- b. Consent obtained in writing is preferred. However, oral consent is acceptable and must be documented in the client's file; and
- c. In the event of lack of clarity or uncertainty concerning consent between substitute decision makers of equal ranking within the hierarchy of substitute decision makers listed in statute, or between a substitute decision maker and an incapable service recipient, Registrants should not provide services until they receive clarification of who is authorized to give consent via relevant legislation, Court Order or formal Agreement.

Practical Application: In the event that authority as a substitute decision maker is either unclear or in dispute, registrants may wish to seek independent legal advice

(See also: Section 3: Equity, Diversity and Inclusion)

8. Confidentiality and Privacy

8.1 Limits of Confidentiality

Before or at the onset of service provision, Registrants must ensure that recipients of service are advised of the limits of confidentiality relevant to the services provided.

8.2 Applicable Privacy Legislation

Registrants must establish which privacy legislation applies to their services and determine who is Health Information Custodian (HIC) in situations in which it may not be clear.

Practical Application: in most cases, the applicable privacy legislation is the Personal Health Information Protection Act (PHIPA). In some circumstances services may be governed by other privacy legislation, as is often the case with services provided within organizations operated or funded under municipal, provincial, or federal legislation; if guidance in this regard is required, it is advisable to confirm the applicable legislation with the management of the organization within which services are provided.

Practical Application: Eligibility to act as a Custodian of personal and personal health information may vary between different privacy statutes. Section 3.1 of the Personal Health Information Protection Act (<https://www.ontario.ca/laws/statute/04p03#BK4>), which governs much of the service provision by Regulated Health Professionals. It allows for, among others, a health care practitioner or a person who operates a group practice of health care practitioners to act as a health information custodian.

If the practices of the organization are contrary to the legislation, regulations or Standards of the Profession, Registrants are required to demonstrate efforts to educate those in a position to authorize a change to the practices and adopt practices which are in keeping with the relevant rules

8.3 Collection, Use and Disclosure of Personal and Personal Health Information

Registrants must ensure that the collection, use, and disclosure of information occurs only with the consent of the person about whom the information applies, or as permitted by legislation. when the service provider is not considered the Health Information Custodian, Registrants must demonstrate efforts to ensure that the Health Information Custodian acts in accordance with these requirements

Practical Application: When unsolicited information is received without appropriate consent or does not appear to meet any of the statutory exceptions to the requirement for consent, the Health Information Custodian must return the information to the sender, if possible. In so doing, Registrants should not even acknowledge that they are providing services to the relevant individual without consent.

8.4 Information about Third Parties

Information about a party other than the recipient(s) of service that is contained in a record, may only be disclosed if permitted or required by law, or with consent of the parties to whom the information relates.

8.5 Access by Client or Client's Authorized Representative

Members are responsible for ensuring that access to an individual's personal or personal health information is provided to the individual and/or their authorized representative, unless prohibited by law, or the Registrant is otherwise permitted to refuse access, even when contrary to the wishes of a third-party funder. Health Information Custodians who may, but are not required to, deny access to information that is normally available, may withhold information only as permitted by law if they are able to demonstrate that it is in the best interests of the recipients of service.

Practical Application: While recipients of a service may agree to waive their rights with respect to the control of their personal health information, if a client wishes to rescind such an agreement, a Registrant is encouraged to seek independent legal advice before withholding information the patient may have a statutory right to obtain.

8.6 Protection of Test Security

Registrants must respect test security and copyright restrictions. As such, they must prevent the distribution of materials and information that could adversely affect the integrity and validity of tests. Test questions, items, and other proprietary materials should not be released without permission of the publisher of the documents. When prevented from providing proprietary information by copyright protections, members are expected to seek the permission of the publisher of the document or, if necessary, provide transcribed responses to test items without revealing test questions or other proprietary information.

9. Records and Record Keeping

9.1 General

- a. All recorded or compiled information must be dated, and the identity of the person making the entry must be clear;

- b. When collaborating with professionals from other disciplines and generating interdisciplinary information, Registrants must include relevant notes from other professionals in their clinical records. They should also indicate their agreement or disagreement with the contents;
- c. When providing services within a group, separate records must be maintained for each group participant;
- d. If requested by a client, Registrants must explain or interpret records written in a language other than the language in which the service was provided.

Practical Application: When a registrant is maintaining a record written in a language other than that in which the service was requested it is expected that, at the onset of services, the registrant will obtain an agreement with the client with respect to whether or not a translated record will be made available upon request, as well as what additional fees may be applied for any translation, explanation or interpretation of the record.

Practical Application: Relevant legislation may require a registrant to provide a copy of the client's health record, upon request. While a registrant is not required under this Standard to provide a written translation of the record, they may voluntarily agree to do so. As there is no requirement to provide a translation, a translation which a registrant has agreed to provide need not be a certified translation.

Practical Application: information provided from a client record is expected to be legible and understandable to the intended recipient.

- e. All documents that contain conclusions, judgments, decisions, diagnoses, or recommendations must be signed by the registrant; if the registrant is supervising another registrant holding a Certificate of Registration authorizing supervised practice, or a person who is not a registrant, such documents must be signed by both the registrant and supervisee;
- f. The record keeping requirements applicable to services to an organization are applicable to the provision of consultation
- g. Registrants who are not Health Information Custodians must take reasonable steps to ensure the maintenance and security of service records and ensure that current and former recipients of service are informed about how they may gain access to the service record for the prescribed retention period

Practical Application: In the absence of an institutional or organizational health information custodian, a Registrant who is supervising service provision is the Health Information Custodian; when uncertain about who the HIC is, Registrants are encouraged to seek independent legal advice

- h. Records in the control of a Registrant must identify any information that the registrant knows or ought to know is false or misleading



9.1 Individual Client Records

Members must keep a record regarding the psychological services they provide to each client. Each record must contain:

- a. Identifying information about the client, including name(s), date of birth, address(es) and (if available) telephone number(s) and email address(es) of each service recipient;
- b. Dates and details of every relevant or material service contact or consultation;
- c. A description of any presenting problem and of any history relevant to the problem;
- d. Relevant information about every material service activity that is carried out by the registrant or under the responsibility of the registrant, including, but not limited to: assessment procedures; assessment findings; diagnoses; goals or plans of service; reviews of progress on the goals and/or of the continued relevance of the plan of service; activities related to crises or critical incidents; and interventions carried out or advice given;
- e. Relevant information about every material service activity that was commenced but not completed, including reasons for the non-completion;
- f. Relevant information about the performance of every Controlled Act performed by the registrant;
- g. All reports or correspondence about the service recipient(s), received by the registrant, which are relevant and material to the service to the client. Registrants may return information that is not relevant or material, to the party that provided the information, or to securely destroy that material after confirming that the sender has retained a copy;
- h. All reports and communications prepared by the registrant regarding the service recipient(s);
- i. A copy of every written consent and/or documentation of the process of obtaining verbal consent related to the service;
- j. Relevant information about every referral of the service recipient, by the registrant, to another professional; and
- k. Any other documents that provide information relevant and material to service that is not included elsewhere in file, and which is relevant to the opinions, recommendations and decision making with respect to client services

Practical Application: Factors that may help determine the nature of information to be conveyed include the purpose for which the recipient has requested the information; the recipient's ability to read and/or comprehend the information; and the effect of regional dialects, cultural terms, expressions, and idioms.

Practical Application: The decision about whether to retain a document, including raw test protocols, within the record, might be answered by the following question: "Could the reliability of my conclusions or the reasonableness of my actions be confirmed without reference to the information in the document or test protocol?"

9.2 Organizational Client Records

When a service is provided to assist an organization as the entity receiving service, as opposed to assisting the individuals in an organization, the record must contain

- a. The name and contact information of the organizational client;

- b. The name(s) and title(s) of the person(s) who authorized to release confidential information about the organizational client;
- c. The date and nature of each material service provided to the organizational client;
- d. A copy of all agreements and correspondence with the organizational client;
- e. A description of the problems which were the focus of the service, the methodology utilized, the recommendations made and any other material information available about the progress and outcome of the matter
- f. A copy of each report that is prepared for the organizational client

9.3 Record Storage and Retention

- a. Individual Client Service records must be retained for a minimum of 10 years after the service recipient reaches the age of 18 or after the last professional contact, whichever comes later;
- b. Unless otherwise required by law, organizational service records must be maintained for at least ten years following the organizational client's last contact. If the organizational client has been receiving service for more than ten years, information contained in the record that is more than ten years old may be destroyed if the information is not relevant to services currently being provided to the client;
- c. Different components of a record can be stored across multiple locations. If so, each location must reference the other locations;
- d. When providing group therapy, a separate record must be maintained for each individual recipient of services;
- e. Registrants are not obliged to retain personally identifiable information for inquiries about services which did not result in an agreement to receive services, or for recipients of prevention, public education, group training, emergency or post-emergency group services, or group screening services;
- f. Records regarding fees, billing, and financial matters must be retained in the same manner as other service records;

9.4 Record Security

- a. Members must ensure that disclosure or transmission of Personal Health Information protects the privacy of the client record;
- b. When using an Electronic Records Management service, even if hosted externally, Registrants must ensure the service operator acts in compliance with legislation. The Health Information Custodian remains responsible for information collection, use, disclosure, and secure destruction by the agent;
- c. Current encryption standards should be applied for electronic records. Members must verify the practices of their provider and seek guidance from relevant authorities (for example, the Information and Privacy Commissioner) if uncertain about the current minimum requirements;
- d. When others within an organization have access to patient records, measures should be taken to prevent misunderstanding or misuse. Raw data or potentially misinterpreted information should be stored separately or, if not possible, marked with a warning that misinterpretation, misunderstanding or misuse could cause harm to clients and the information should only be available to registrants of the relevant profession.

9.5 Maintenance of Client Records

Registrants who are health information custodians must arrange for the security and maintenance of client records, in case of expected or unexpected incapacity or death, and inform the College of these arrangements prior to ceasing to provide psychological services or at the earliest reasonable opportunity. In making such arrangements, where possible, the designate should be a registrant of the College.

Practical Application: if a registrant is unable to designate another registrant as custodian of the records, then the registrant must make best efforts to designate another regulated health professional and if unable to that, then a person who is familiar with the requirements of the applicable legislation.

10 Assessment and Intervention

10.1 Familiarity with Tests and Techniques

Registrants must understand and adhere to the standardized norms, reliability, validity, and appropriate application of tests and techniques. Registrants must also avoid using outdated, obsolete, or invalid tests. In cases where no appropriate tools are available, they may use test items for clinical assessment purposes, ensuring avoidance of outdated or inappropriate norm-based data. Any departure from proper use should be documented with a clear rationale.

Practical Application: Norms which may be appropriately used for some populations may not be applicable to all populations and caution should be exercised not to apply inappropriate norms when conducting assessments. (See also: Section 3: Equity, Diversity and Inclusion)

10.2 Controlled Access to Tests and Materials

Unsupervised access to tools or materials must not be provided to individuals lacking the necessary user qualifications as stipulated by the publishers or vendors. Registrants may not provide information or describe test content in any way in circumstances that could invalidate the tests or compromise the proper use and application of the tests or techniques.

10.3 Familiarity with Intervention tools and techniques

Registrants must be familiar with the evidence supporting the utility and effectiveness of the interventions they employ. They should be prepared to provide a reasoned explanation for their choice of tools and techniques.

10.4 Adherence to Evidence-based Practices

Registrants must be familiar with evidence-based tools and techniques. If they choose not to use such tools or techniques, they must be able to justify their decision. When using new or emerging tools or techniques without established research, members must demonstrate competence to safely utilize these tools or techniques. Recipients of service must be informed about the potential risks, benefits, and alternative options.

Practical Application: Drug assisted therapy is an emerging practice area and members must exercise caution if considering offering this service. Unless also a member of a College whose

members have access to the controlled acts of prescribing or dispensing a drug, Registrants can neither perform those acts nor provide or administer any drug, and in particular any psychedelic or dissociative drug (one that can alter a person's perception of their surroundings, sense of self, or perception of reality, eg., psilocybin, LSD, Ayahuasca, Ketamine, MDMA).

If providing therapy to a person under the influence of a psychedelic or dissociative drug which has been provided by an authorized health care professional, a Registrant must be able to demonstrate that use of drug assisted therapy is well-informed by supporting evidence, appropriate based upon client needs, legally permitted, and that a practical plan has been established to address adverse side effects which might arise from the intervention, including a plan for emergency medical care. This section is not meant to apply to the provision of services to individuals using conventional and well established psychotropic medications such as antidepressants, anxiolytics and stimulants (e.g., fluoxetine, risperidone, etc.) that are prescribed and managed by a health care provider authorized to provide those services.

10.5 Coordination of Services

Registrants should not provide or offer services to someone already receiving similar services from another provider, except in exceptional circumstances. In such cases, the registrant must coordinate services with the other provider(s).

10.6 No Delegation of Controlled Acts

Registrants may not delegate Controlled Acts in any circumstances.

11 Opinions

11.1 Rendering Opinions

Registrants must base professional opinions on current, reliable, adequate, and appropriate information

11.2 Review Without Evaluation

If conducting a review of a record and direct evaluation is not required, registrants must document this and indicate the sources of information used to form opinions.

11.3 Freedom from Bias

Members must provide professional opinions that are clear, fair, and unbiased and must make best efforts to avoid the appearance of bias.

11.4 Identification of Limits of Certainty

Registrants must identify limits to the certainty with which diagnoses, opinions, or predictions can be made about individuals or groups.

11.5 Documentation of Limitations

If a complete evaluation is not possible after reasonable attempts have been made, registrants must document the efforts made to obtain additional information, the obstacles existing and the impact of limited information on their opinions.

11.6 Clarify of Communication

Registrants must present information in a manner likely to be understood by the recipients of service.

12 Objectivity

12.1 Professional Objectivity

Registrants must not undertake or continue to provide services where objectivity, competence or effectiveness is, or may reasonably be perceived as, compromised by bias or conflict of interest.

12.2 Disclosure of Impartiality Concerns

Where any potential lack of objectivity exists or arises, registrants must disclose this to the relevant parties, unless this would reasonably present a risk of harm to an individual

12.3 Avoidance of Dual Relationships

Registrants must avoid dual relationships wherever possible. If not possible, registrants must seek guidance from a neutral colleague to manage such relationships professionally.

12.4 Independence in Disputes

Registrants must remain impartial in disputes between clients with other service recipients or organizations, refraining from advocating for any party.

12.5 Gifts and Contributions

Registrants may not accept gifts of more than token value unless a clinical rationale for doing so can be provided and documented. Any rationale should include careful consideration of the potential clinical impact of accepting or not accepting the gift. Registrants may not influence a recipient of services to make gifts or contributions of any kind.

12.6 Avoidance of Exploitation

Registrants may not use their professional knowledge, title, or position to acquire advantage directly or indirectly over, or exploit, any person in any professional context, or improperly acquire a benefit of any kind.

12.7 Priority of Service Recipient's Interests

The interests of a recipient of services must be a Registrant's primary consideration. Interests of insurers and other funders of services must not take precedence over the interests of the person who is the subject of the service.

13 Impairment

13.1 Impairment Due to Health Factors

Members must not undertake or continue to provide services when they are, or could reasonably be expected to be, impaired due to mental, emotional, physiological, or pharmacological or substance abuse conditions. If such a condition develops after services

have been initiated, members must discontinue the services in an appropriate manner. Registrants must make efforts to ensure that clients are notified that they are unable to continue providing services and assisted in obtaining replacement services to ensure continuity of care.

14 Harassment, Sexually Inappropriate Conduct, and Abusive Relationships

14.1 Relationships with Current or Former Clients

Registrants must not enter, or make plans to enter, into an intimate or sexual relationship with a current or past service recipient **or a** close relative of the service recipient, unless the service was provided

- in emergency circumstances;
- where the service is minor; or
- where the member has taken reasonable steps to transfer the care of the individual to another member or there is no reasonable opportunity to transfer care to another member

Such relationships are never permissible where it is reasonably believed that the former service recipient or their family member might be vulnerable or require future professional assistance. This does not apply to relationships with employees of an organizational client unless the psychological service provided to the individual was either intended to be therapeutic or the individual is vulnerable to exploitation.

Practical Application: A registrant should avoid entering a sexual or intimate relationship with a close family member of a client except in the most exceptional circumstances. If a registrant is considering entering into a sexual or intimate relationship with a former client, there are a number of relevant factors a registrant should consider including:

1. The likelihood of adverse impact on the client;
2. The client's current mental status;
3. Whether there continues to be a power imbalance that may be influencing the client's decision;
4. The client's personal history and any difficulties of which the registrant was, or ought to have been aware of;
5. The nature, duration, and intensity of the professional service; and
6. The amount of time since the last professional contact.

Practical Application: Non-sexual intimacy can take the form of the mutual sharing of personal thoughts, feelings, dreams, hopes, fears, and secrets. In an intimate relationship, each participant expresses their personal needs to the other with an expectation that they will be fulfilled. Intimacy with a patient and the creation and maintenance of appropriate professional boundaries are mutually inconsistent. This can take the form of quasi parental or familial relationships, personal friendships, borrowing or giving money to the other, or bartering.

14.2 Sexual Relationships with Students and Psychology Interns, Psychology Trainees and Supervisees

Registrants must not enter, or make plans to enter, into an intimate or sexual relationship with a current research participant, student, employee, or supervisee, or with any person the Registrant could reasonably expect to be in a position to evaluate.

14.3 Sexual Harassment

Registrants must not engage in sexual harassment in any professional context. Sexual harassment includes, but is not limited to, any or all, of the following:

- a. the use of power or authority in an attempt to coerce another person to engage in or tolerate sexual activity including, but not limited to, explicit or implicit threats of reprisal for noncompliance or promises of reward for compliance;
- b. engaging in deliberate and/or repeated unsolicited sexually oriented comments, anecdotes, gestures, or touching, where the member knows or ought to know that such behaviours are offensive and unwelcome, or creating an offensive, hostile, or intimidating professional environment; and
- c. engaging in physical or verbal conduct of a sexual nature when such conduct might reasonably be expected to cause harm, insecurity, discomfort, offence, or humiliation to another person or group.

14.4 Other Forms of Abuse and Harassment

Members must not engage in any verbal or physical behaviour of a demeaning, harassing or abusive nature in any professional context.

15 Financial Matters

15.1 Fees and Billing Arrangements

- a. Registrants must reach an agreement with payers regarding fees and payment arrangements before providing services or implementing changes to services or fees;
- b. Fees must be based on the time spent and complexity of services delivered;
- c. Rates for services should remain consistent across payers, although Registrants may offer pro bono services or sliding scale fees to allow for affordability;
- d. Provision of services by a supervisee must be clearly noted on invoices and receipts;
- e. Regardless of the payor, when registrants bill clients or third party payers for supervised services rendered, Supervisors must issue all invoices and receipts, directing that payment be made to the supervisor, unless the supervisee is a registrant of the College with a Certificate of Registration for Autonomous Practice, in which case the supervisee may do so independently

15.2 Prepayment and Retainer Funds

- a. Registrants may request retainer funds in advance, but these funds must be held in a segregated account, separate from the registrant's practice operating account funds or personal funds. These segregated funds must only be applied to services rendered. When such services are rendered and invoiced, any excess segregated funds must be returned to the client following the termination or conclusion of services.
- b. Payment for a specified multiple session treatment plan or group series may be charged and accepted at the beginning of the series, as long as clients agree that unused fees will not be refunded.

- c. Registrants may not require clients to prepay for any psychological services including preparation of reports, except in the context of multi session or group programs as described above.

15.3 Collection of Unpaid Fees

Registrants may not withhold reports for non-payment of fees.

If they have informed clients of their practice in advance, registrants may:

- a. Charge Interest on an overdue account;
- b. Charge a fee for a missed appointment or late cancellation when prior notice is not given within an agreed upon period.
- c. Registrants may take legal action or use a collect agency to collect unpaid fees from clients provided they have first given clients an opportunity to resolve payment. In using a collection agency or filing documents in a legal process, Registrants may provide only that information necessary for the recovery of funds.

15.4 Additional Charges

Registrants may charge a fee for other services such as:

- a. Preparing special reports;
- b. Copying, interpreting, or translating records; or
- c. Completing forms (e.g., disability tax credit forms, insurance forms). Such fees must be discussed prior to the service being undertaken.

16 Cross-Jurisdictional Practice

16.1 Authorization for Cross-Jurisdictional Practice

- a. Registrants must ensure they are legally authorized to provide services outside Ontario and comply with Ontario's service requirements while practicing elsewhere.

Practical Application: The College does not have the authority to determine what is permissible in jurisdictions outside of Ontario and cannot provide permission to registrants to contravene statutes in another jurisdiction. A registrant who wishes to provide services to individuals outside of Ontario must therefore seek direction from the relevant regulatory body. The College recognizes that in exceptional circumstances, to prevent harm to vulnerable clients, it may be necessary to provide emergency services to an existing client. A registrant who wishes to provide services to individuals outside of Ontario where there is a lack of clarity regarding jurisdiction, for example, in military or diplomatic situations, is advised to obtain independent legal advice before providing those services.

- b. Registrants providing services in another jurisdiction must be authorized to provide the same services in Ontario.
- c. Registrants must inform service recipients that the College has authority to address complaints about the services received and must provide contact information for the College on request.
- d. Registrants providing services outside of Ontario must ensure they carry appropriate liability insurance with respect to such service.

16.2 Adherence to Local Jurisprudence

Registrants must be familiar with and adhere to the local jurisprudence and standards for practice in the jurisdiction in which the service is being delivered. Where a conflict exists between the requirements of two jurisdictions, the registrant must comply with the obligations affording greater patient or client protection.

17 Use of Technology

17.1 General

- a. Registrants considering providing service virtually (via technology) must determine whether virtual vs. in-person services is clinically indicated. If in-person service is clinically indicated and the Registrant does not wish to provide in-person services to an existing client, they must demonstrate efforts to facilitate a referral to an appropriate service provider.
- b. Registrants are expected to adhere to the Association of Canadian Psychology Regulatory Associations (ACPRO) Model Standards for Telepsychology Service Delivery, as amended from time to time

17.2 Technological Knowledge and Competence

- a. Registrants using technology must maintain and address current knowledge of the risks associated with that use
- b. Registrants must be competent in the use of technology they adopt
- c. Registrants are free to responsibly utilize technological advances, including computer-assisted scoring and test interpretation and non-human mediated Artificial Intelligence, but technology may not be used instead of registrants' own professional knowledge, skill and judgment; such professional activities must always be actively reviewed by registrants who are authorized to provide the services; registrants must inform clients of the technology being used and must take full responsibility for the content of reports and any opinions or recommendations expressed in their names
- d. Registrants must ensure, as part of the informed consent process that clients understand how technology is being used to assist them, any risks of technological error, and what risks there are to their privacy when personal information is being used, stored, or transmitted within an external technological application.

17.3 Security in the Use of Technology

- a. If using cloud services Registrants must ensure that the jurisdiction within which the cloud service is hosted has security features which would be consistent with privacy requirements under Ontario legislation
- b. To minimize the possibility of someone impersonating a client and gaining access to confidential health information or influencing a registrant's assessment or opinion of the client, registrants must use some form of coded identification of the client in cases where live visual verification is not possible