



COLLEGE OF
PSYCHOLOGISTS
OF ONTARIO

MEETING OF THE COLLEGE COUNCIL

2022.04

DATE: DECEMBER 16, 2022

TIME: 9:00AM - 1:00PM

LOCATION: TO BE HELD VIRTUALLY

110 Eglinton Avenue West, Suite 500
Toronto, Ontario, Canada M4R 1A3
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COUNCIL MEETING AGENDA

2022.04

DECEMBER 16, 2022

9:00 AM to 1:00PM

AGENDA ITEM	TOPIC	ACTION	PAGE #	STRATEGIC DIRECTION*
.00	CALL TO ORDER & LAND ACKNOWLEDGEMENT			
.01	APPROVAL OF AGENDA & MINUTES			
.01A	Review & Approval of Agenda	Decision	2	
.01B	Declarations of Conflicts of Interest	Discussion	--	
.01C	Review & Approval of Minutes - Council Meeting 2022.03 September 23, 2022	Decision	4	
.01D	Review & Approval of IN CAMERA Minutes - Council Meeting 2022.03 September 23, 2022	Decision	--	
.01E	Review of Action List	Discussion	10	
.01F	Council Meeting Evaluation Review	Discussion	11	
.02	CONSENT AGENDA ITEMS	Information		
.02A	Committee/Working Group Reports	--	--	--
	(1) Executive Committee Report		13	
	(2) Discipline Committee		15	
	(3) Quality Assurance Committee		17	
	(4) Client Relations Committee		19	
	(5) Fitness to Practice Committee		20	
	(6) Finance & Audit Committee Report		21	
	(7) Equity, Diversity, and Inclusion Working Group		25	
	(8) ABA Working Group		26	
	(9) Jurisprudence and Ethics Examination Committee		28	
.02B	Staff Presentations		30	
.03	POLICY ISSUES			
.03A	ABA Regulations – Consultation Results	Decision	31	M1/M4/M7
.03B	EPPP - Update	Information	89	M1
.03C	College Performance Measurement Framework (CPMF) Update – Oral Report	Information	--	All
.04	BUSINESS ISSUES			
.04A	President’s Report	Information	97	M9
.04B	Registrar & Executive Director’s Report	Information	99	M9
.04C	Registration Committee Quarterly Report	Information	102	M9
.04D	Inquiries, Complaints and Reports Committee Quarterly Report	Information	105	M9
.04E	Integrated Risk Management Report	Information	109	M9

AGENDA ITEM	TOPIC	ACTION	PAGE #	STRATEGIC DIRECTION*
.04F	Barbara Wand Seminar Report	Information	112	M5
.04G	Directors of Clinical Training Programs Meeting Oral Report	Information	--	M9
.04H	Registrar Search Committee Update – IN CAMERA	Information	--	M9
.05	STRATEGIC ISSUES			
.05A	Strategic Direction Implementation: Chart Update	Discussion	115	All
.06	OTHER BUSINESS			
.06A	Election Date for District 4 (East), and District 7 (Psychological Associates) <ul style="list-style-type: none"> Proposed Date: March 31, 2023 	Decision	--	--
.06B	Next Council Meeting: <ul style="list-style-type: none"> March 23, 2023 – Training Day March 24, 2023 – Council Meeting 	Information	--	--
.06C	Proposed Council Meeting: <ul style="list-style-type: none"> June 16, 2023 	Decision	--	--
.07	ADJOURNMENT			

*In accomplishing our Mission, the College promotes excellence in the practice of psychology by:

M1 - *Enforcing standards fairly and effectively through: Developing, establishing and maintaining standards of qualifications for individuals seeking registration,*

M2 - *Enforcing standards fairly and effectively through: Developing, establishing and maintaining standards of practice and professional ethics for all members,*

M3 - *Enforcing standards fairly and effectively through: Developing, establishing and maintaining standards of knowledge and skill and programs to promote continuing evaluation, competence and improvement among members;*

M4 - *Communicating clearly and effectively with stakeholders, particularly applicants, members and the public;*

M5 - *Supporting and assisting members to meet high standards;*

M6 - *Responding to changing needs in new and emerging practice areas;*

M7 - *Collaborating in shaping the regulatory environment;*

M8 - *Acting in a responsibly transparent manner; and,*

M9 - *Advancing the Council’s governance practices.*



1

COUNCIL MEETING

2022.03

2

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4 To view the Meeting Materials and Briefing Notes corresponding to these Minutes please click
5 [here](#).

6

7

SEPTEMBER 23, 2022

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PRESENT:

- 10 **Wanda Towers**, Ph.D., C.Psych., President
11 **Marjory Phillips**, Ph.D., C.Psych., Vice-President
12 **Paula Conforti**, Dip.C.S., C.Psych.Assoc.
13 **Carolyn Kolers**, Public Member
14 **David Kurzman**, Ph.D., C.Psych.
15 **Archie Kwan**, Ph.D., C.Psych.
16 **Conrad Leung**, M.ADS, BCBA
17 **Melanie Morrow**, M.A., C.Psych.Assoc.
18 **Ian Nicholson**, Ph.D., C.Psych.
19 **Cenobar Parker**, Public Member
20 **Fred Schmidt**, Ph.D., C.Psych.
21 **Kendra Thomson**, Ph.D., BCBA-D
22 **Scott Warnock**, Public Member
23 **Ilia Maor**, Public Member
24 **Nadia Mocan**, Public Member
25 **Adrienne Perry**, Ph.D., C.Psych.
26 **Esther Vlessing**, Public Member

27

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REGRETS:

- 29 **Marilyn Keyes**, Ph.D., C.Psych.
30 **Paul Stopciati**, Public Member

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GUESTS:

- 33 **Deric Chan**, Hilborn LLP

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STAFF:

- 36 **Rick Morris**, Ph.D., C.Psych., Registrar & Executive Director
37 **Barry Gang**, MBA, Dip.C.S., C.Psych.Assoc., Deputy Registrar & Director, Professional Affairs
38 **Lesia Mackanyn**, Director, Registration
39 **Stephanie Morton**, Director, Corporate Services
40 **Caitlin O'Kelly**, Assistant to the Registrar, Recorder

41

42

2022.03.00 CALL TO ORDER

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45

The Registrar called the meeting to order at 9:00AM. The meeting was held virtually by Zoom and livestreamed on YouTube. The President began the meeting with a land acknowledgement statement in recognition and respect for Indigenous peoples.

2022.03.01 APPROVAL OF THE AGENDA AND MINUTES**.01A APPROVAL OF AGENDA**

That the Agenda be amended to note that Mr. Deric Chan from Hilborn LLP will be joining the Council Meeting at 10:00AM to present and discuss the 2021-2022 Audited Financial Statements.

It was MOVED by I. Nicholson

That the Agenda for the Council Meeting be approved as amended. CARRIED

.01B DECLARATIONS OF CONFLICTS OF INTEREST

The President asked if any members of Council needed to declare a conflict of interest pertaining to the items on the Agenda. No declarations were made, however Council recognized that as item .03B ABA may pose an unavoidable conflict for professional members that also identify as Behaviour Analysts. Council also recognized that item .04G related to the Reserve Funds may pose an unavoidable conflict for all professional members. The President reminded Council members that the potential for conflicts should be kept in mind throughout the meeting and declarations made at any time, if appropriate.

.01C MINUTES FROM THE COUNCIL MEETING 2022.02 JUNE 17, 2022

It was MOVED by S. Warnock

That the Minutes of Council Meeting 2022.02, June 17, 2022, be approved as presented. CARRIED

.01D REVIEW OF ACTION LIST

The Council reviewed the Action List drawn from the Minutes of the previous meeting and noted items that were completed, outstanding or on the Agenda at today's meeting.

.01E COUNCIL MEETING EVALUATION REVIEW

The Council reviewed the June 17, 2022, Council Meeting Evaluation results. There were no questions or comments.

2022.03.02 CONSENT AGENDA

The Consent Agenda was received.

2022.03.03 POLICY ISSUES**.03A SUPERVISION RESOURCE MANUAL FOR REGISTRATION, THIRD EDITION, 2022**

The *Supervision Resource Manual for Registration, Third Edition, 2022* was developed to provide guidance for members providing supervision and those seeking registration with the College. It was designed to provide practical information to help members of the College who agree to be supervisors for supervised practice members and/or who agree to provide supervision to members seeking to expand their authorized areas of practice. The Supervision Resource Manual Working Group, established in September 2020, had been tasked to review the current *Supervision Resource Manual (2009)* to ensure it aligns with the *Standards of Professional*

92 *Conduct, 2017* and best practices in supervision. The Council reviewed and discussed the revised
 93 edition.

94
 95 **It was MOVED by M. Phillips**
 96 **That the *Supervision Resource Manual for Registration, Third Edition, 2022* be received.**
 97 **CARRIED**

98
 99 **Action Item Office of the Registrar**
 100 The *Supervision Resource Manual for Registration, Third Edition, 2022* will be posted to the
 101 College website replacing the *Supervision Resource Manual (2009)*.

102
 103 **.03B APPLIED BEHAVIOUR ANALYSIS REGULATIONS FOR CIRCULATION**

104 The College has been working towards welcoming Behaviour Analysts into what will be the new
 105 College of Psychologists and Behaviour Analysts of Ontario to be established under the yet to be
 106 proclaimed *Psychology and Applied Behaviour Analysis Act, 2021*. To prepare for proclamation,
 107 the College undertook to develop necessary Regulations related to the regulation of Behaviour
 108 Analysts. The Registrar introduced this topic with a presentation discussing the background to the
 109 development of the Regulations to be considered for circulation. In addition, Council was
 110 provided with a Briefing Note and the consultation package containing draft amendments to the
 111 College’s Registration Regulation, General Regulation (Quality Assurance and Advertising), and
 112 the Professional Misconduct Regulation.

113
 114 It was explained that Regulation development follows a formal process set out in section 95(1)
 115 (1.4) of the Health Professions Procedural Code being Schedule 2 of the *Regulated Health*
 116 *Professions Act, 1991*. This section of the Code requires the College to circulate proposed
 117 Regulations or Regulation amendments to the membership, the public and stakeholders for a
 118 minimum of 60 days. At the conclusion of the circulation period, the College Council will be asked
 119 to consider the feedback received, makes any changes deemed appropriate based on this
 120 feedback, and approve the final draft Regulations for submission to the government for review,
 121 approval, and ultimate proclamation on a date of its choosing.

122
 123 **It was MOVED by A. Perry**
 124 **That the circulation document and the draft amended Regulations which have been updated to**
 125 **include the profession of Applied Behaviour Analysis, be approved for circulation to members**
 126 **and stakeholders for 60 days as required by the Health Professions Procedural Code being**
 127 **Schedule 2 of the *Regulated Health Professions Act, 1991*. These include amendments to:**

- 128 • O. Reg. 74/15 Registration
- 129 • O. Reg. 801/93 Professional Misconduct
- 130 • O.Reg. 209/94 General (Quality Assurance and Advertising)

131 **CARRIED**
 132 **Professional Members in favour: 7**
 133 **Public Members in favour: 5**
 134 **Professional Members opposed: 0**
 135 **Public Members opposed: 0**

138 **Action Item Office of the Registrar**
 139 To circulate the draft amended Regulations, updated to include the profession of Applied
 140 Behaviour Analysis, to members and stakeholders for 60 days.

141

142 **2022.03.04 BUSINESS ISSUES**

143

144 **.04A PRESIDENT'S REPORT**

145 The Council reviewed the President's Report for the first quarter. There were no questions or
 146 comments.

147

148 **.04B REGISTRAR & EXECUTIVE DIRECTOR'S REPORT**

149 The Council reviewed the Registrar's Report for the first quarter. There were no questions or
 150 comments.

151

152 **.04C REGISTRATION COMMITTEE QUARTERLY REPORT**

153 The Council reviewed the first quarter report. Dr. Phillips gave an update on the oral examination
 154 review that is underway. There were no questions or comments.

155

156 **.04D INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE QUARTERLY REPORT**

157 The Council reviewed the first quarter report. There were no questions or comments.

158

159 **.04E 2021-2022 ANNUAL REPORTS**

160 The Council reviewed the Annual Reports for 2021-2022.

161

162 **It was MOVED by C. Kolers**

163 **That the 2021-2022 Annual Reports for the College's statutory and non-statutory Committees**
 164 **and Working Groups be approved. CARRIED**

165

166 **.04F AUDIT 2021-2022**

167 Presentation of Audited Financial Statements by Mr. Deric Chan from Hilborn LLP.

168

169 The President welcomed Mr. Chan, Auditor with Hilborn LLP, and invited him to present the
 170 Audited Financial Statements for the year ending May 31, 2022. The Finance and Audit Committee
 171 and the Executive Committee had reviewed the draft Audited Financial Statements with Ms. Liana
 172 Bell of Hilborn LLP at their meeting on August 25, 2022. Mr. Chan discussed the following
 173 documents that had been provided to Council:

174 - Audit Findings Report

175 - Draft Audited Financial Statements

176

177 Mr. Chan congratulated the College on a clean audit. He noted that the College is in a healthy
 178 financial position with several Reserve Funds available for contingencies.

179

180 Mr. Chan commented that the College staff and management were well prepared for the audit
 181 and cooperated fully. He noted that the College has appropriate internal controls and that all
 182 accounting estimates were appropriate and reasonable. There were no unusual transactions and
 183 or any disagreements with management.

184 It was **MOVED** by C. Parker
 185 That the Audited Financial Statements for the fiscal year ending May 31, 2022 be accepted.
 186 **CARRIED**

187
 188 It was **MOVED** by P. Conforti
 189 That the firm of Hilborn LLP be appointed as Auditors for the College for the year ending May
 190 31, 2023. **CARRIED**

191
 192 **.04G TRANSFERS FROM THE INVESTIGATIONS AND HEARINGS AND THE FEE STABILIZATION**
 193 **RESERVE FUNDS**
 194 *Policy III F-2: Reserve Funds* requires the College to have an Investigations & Hearings Fund and a
 195 Fee Stabilization Fund. The Policy sets out how they are to be used in the event that there is an
 196 operating deficit in any fiscal year. The unaudited financial statements for the year ending May
 197 31, 2022 indicate an operating deficit of \$374,465 which then triggers transfers from these funds.

198
 199 It was **MOVED** by I. Nicholson
 200 That \$36,360 be transferred from the Investigations and Hearings Reserved Fund and \$338,105
 201 be transferred from the Fee Stabilization Fund to cover the 2021-2022 operating deficit of
 202 \$374,465. **CARRIED**

203
 204 **2022.03.05 STRATEGIC ISSUES**

205
 206 **.05A STRATEGIC DIRECTION IMPLEMENTATION UPDATE**
 207 The Registrar provided the Council with the updated *Strategic Direction Implementation Table*.
 208 This table is used to chart the work undertaken and accomplished in fulfilling the College's
 209 Strategic Direction. Items added since the Council Meeting of June 17, 2022, were shown in **Bold**.

210
 211 **2022.03.06 OTHER BUSINESS**

212
 213 **.06A NEXT COUNCIL MEETINGS:**
 214 The next Council meeting will be held on December 16, 2022.

215
 216 It was **MOVED** by P. Conforti
 217 That March 23-24, 2023, be set as the next meeting dates; Council Training Day, March 23, 2023
 218 and Council Meeting, March 24, 2023. **CARRIED**

219
 220 **2022.03.07 IN CAMERA ITEMS**

221
 222 It was **MOVED** by S. Warnock
 223 That the Council go IN CAMERA to discuss items .07A Development of a Knowledge or
 224 Competency Examination for Registration of Behaviour Analysts and .07B Search Committee
 225 Update. **CARRIED**

226
 227 It was **MOVED** by S. Warnock
 228 That the Council end the IN CAMERA portion of the meeting. **CARRIED**

229

230 **2022.03.08 ADJOURNMENT**

231
232 There being no further business,
233

234 **It was MOVED by C. Kolers**
235 **That the Council Meeting be adjourned. CARRIED**

236
237 The Council Meeting was adjourned at 11:50AM.

238
239
240
241 _____
242 Wanda Towers, Ph.D., C.Psych., President

243
244
245 _____
246 Marjory Phillips, Ph.D., C.Psych., Vice-President

247 **Minutes approved at the Council Meeting on December 16, 2022.**



ACTION LIST

2022.04.01E

COUNCIL MEETING 2022.03 SEPTEMBER 23, 2022

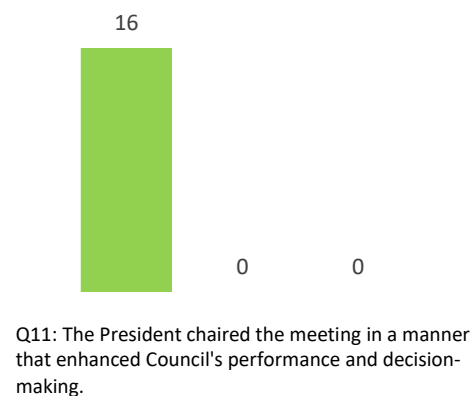
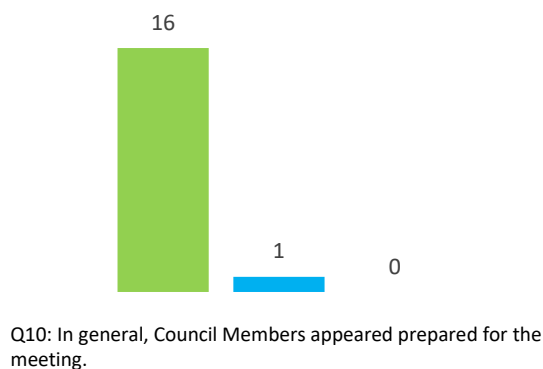
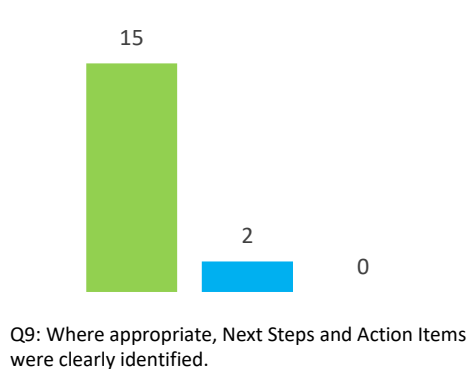
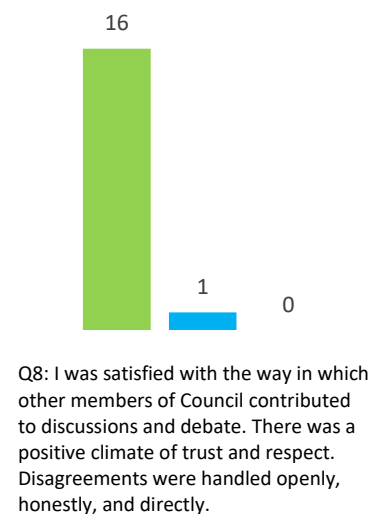
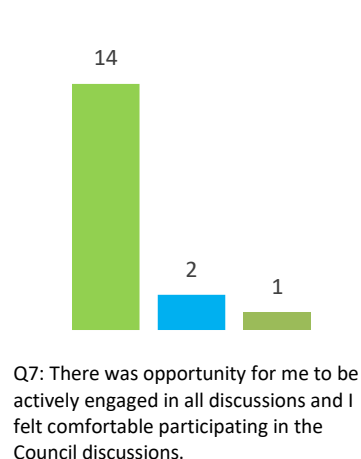
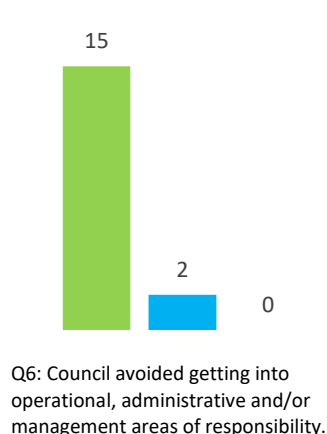
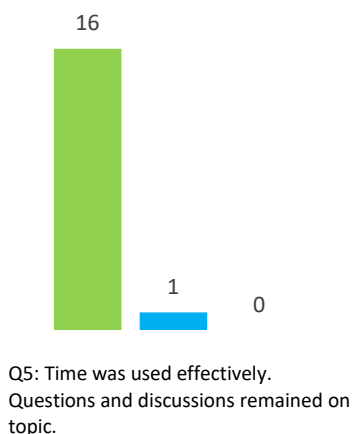
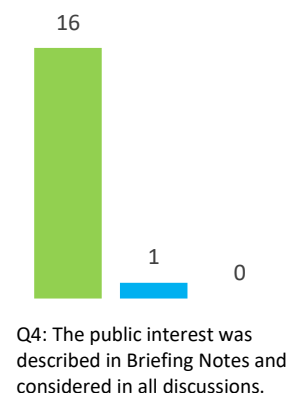
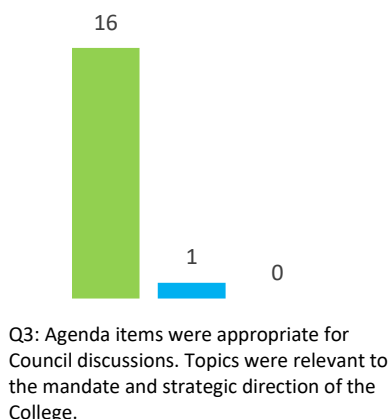
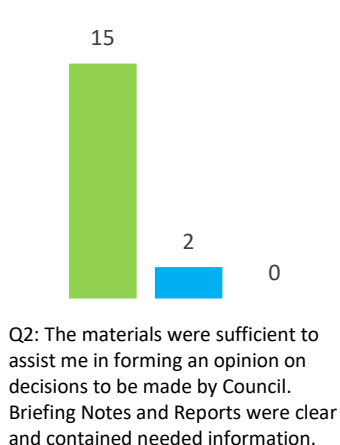
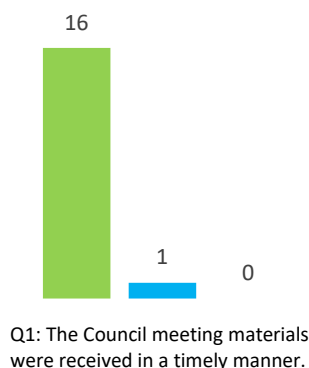
Item:	Responsibility:	Action:	Status:
2019.03.03C	College	To pursue amendments to O.Reg. 74/15 - Registration under the <i>Psychology Act, 1991</i> to discontinue Master's level registration and at that time, grant the title Psychologist to all existing Psychological Associates.	In Process
2020.04.03A	Registration Committee	Establish a process to assess all <i>Canada Free Trade Agreement (CFTA)</i> candidates on their competence to perform the controlled act of communication of a diagnosis.	In Process; undertaken in conjunction with Oral Examination review
2022.03.03A	Office of the Registrar	The <i>Supervision Resource Manual for Registration, Third Edition, 2022</i> will be posted to the College website to replace the <i>Supervision Resource Manual (2009)</i> , currently available.	Completed
2022.03.03B	Office of the Registrar	To circulate the draft amended Regulations, updated to include the profession of Applied Behaviour Analysis, to members and stakeholders for 60 days.	Completed

COUNCIL MEETING EVALUATION SUMMARY

COUNCIL MEETING SEPTEMBER 23, 2022

17/17 COUNCIL MEMBERS PRESENT COMPLETED EVALUATIONS

■ Very Good/Excellent ■ Good/OK ■ Needs Improvement



ADDITIONAL COMMENTS

Q1	<ul style="list-style-type: none"> Given the amount of information, a bit more time might have been useful.
Q2	Very thorough. Always a good background to things to give public protection context
Q3	No comments
Q4	<ul style="list-style-type: none"> Perhaps more detailed comment linking item to its impact on the public in the written note would be helpful I appreciated the chair's attention to reviewing the public interest rationale before various agenda items for discussion
Q5	<ul style="list-style-type: none"> The agenda had a few "heavy" items. The chair kept the discussion focused and on point. Didn't feel rushed but we got through a lot of material
Q6	No comments
Q7	<ul style="list-style-type: none"> The item regarding ABA sparked comments and questions. All points were listened to and gave me things to think about.
Q8	<ul style="list-style-type: none"> Respectful tone from everyone. No actual disagreements really
Q9	No comments
Q10	<ul style="list-style-type: none"> Hard to know for sure but seems so Hard to tell as some members were quiet for the full meeting.
Q11	<ul style="list-style-type: none"> Wanda did a wonderful job leading discussion and encouraging input from Council. Wanda does a lovely job chairing. Never seems rushed or impatient. Always inviting and encouraging involvement. Also thanking people for their work (staff and committees etc.). Creates a very nice atmosphere overall! Wanda did amazing!
Additional Comments	<ul style="list-style-type: none"> The item around ABA was handled very well. Rick's presentation was excellent and the questions from the members provided the Working Group with additional information for future discussion. An effective Council meeting that demonstrates the preparation and work that takes place behind the scenes. Pleased to see Council involvement beyond the regularly scheduled meetings (e.g. search feedback request). Great meeting.

REPORT TO COUNCIL

2022.04.02A(1)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

EXECUTIVE COMMITTEE

COMMITTEE MEMBERS:

Wanda Towers, Chair, Professional Member of Council
Paula Conforti, Professional Member of Council
Ian Nicholson, Professional Member of Council
Marjory Phillips, Professional Member of Council
Paul Stopciati, Public Member of Council
Scott Warnock, Public Member of Council

STAFF

Rick Morris, Registrar & Executive Director
Barry Gang, Deputy Registrar & Director, Professional Affairs
Caitlin O'Kelly, Assistant to the Registrar

MEETINGS

The Executive Committee met on:

- November 18, 2022

ITEMS TO COUNCIL FOR DECISION

The Executive Committee discussed the following items which are being brought forward for Council consideration:

- Consultation results on the proposed regulation amendments drafted to include the profession of Applied Behaviour Analysis:
 - O. Reg. 74/15 Registration
 - O. Reg. 801/93 Professional Misconduct
 - O.Reg. 209/94 General (Quality Assurance and Advertising)

ACTIONS

The Executive Committee took the following actions:

- *Policy II-1(i): Executive Committee Terms of Reference Role* was due for review during the College's 2022/2023 fiscal year. No amendments were identified as needing to be considered. The *Next Review Date* for the policy will be updated to 2025/2026.

FOR INFORMATION

The Executive Committee undertook its quarterly review of continuing the temporary provisions for telepsychology services for out-of-province practitioners established during the pandemic. To facilitate continuing of care, these provisions permit out-of-province practitioners to continue to provide service to

their clients currently in Ontario due to COVID-19. It was determined that these provisions should continue at this time. This will be reviewed again at the next Executive Committee meeting.

SUBMITTED BY

Wanda Towers, Ph.D., C. Psych., Chair

REPORT TO COUNCIL

2022.04.02A(2)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

DISCIPLINE COMMITTEE

COMMITTEE MEMBERS:

Marilyn Keyes, Council Member, Chair
 Janice Currie, College Member, Vice-Chair
 Gilles Boulais, College Member
 Deirdre Boyle, College Member
 Paula Conforti, Council Member
 Lisa Couperthwaite, College Member
 Lynette Eulette, College Member
 Robert Gauthier, College Member
 Michael Grand, Council Member
 Sara Hagstrom, College Member
 Anthony Hopley, College Member
 Sandra Jackson, College Member
 Carolyn Kolers, Public Member
 Archie Kwan, Council Member
 David Kurzman, Council Member

Ilia Maor, Public Member
 Nadia Mocan, Public Member
 Melanie Morrow, College Member
 Ian Nicholson, Council Member
 Cenobar Parker, Public Member
 Adrienne Perry, Council Member
 Marjory Phillips, Council Member
 Philip Ricciardi, College Member
 Fred Schmidt, Council Member
 Paul Stopciati, Public Member
 Wanda Towers, Council Member
 Ester Vlessing, Public Member
 Scott Warnock, Public Member
 Pamela Wilansky, College Member

STAFF SUPPORT:

Zimra Yetnikoff, Director, Investigations & Hearings
 H  l  ne Th  berge, Senior Administrative Assistant

GENERAL

A Plenary session for the Discipline Committee was held on November 30, 2022.

REFERRALS TO DISCIPLINE

Eight matters were referred to the Discipline Committee in the 2nd quarter:

Dr. Romeo Vitelli: https://members.cpo.on.ca/public_register/show/1461

A referral was made to the Discipline Committee on October 21, 2022 and the ICRC Decision was sent to Dr. Vitelli on October 25, 2022. This matter is currently at the Pre-Hearing Conference stage.

Dr. Douglas Misener: https://members.cpo.on.ca/public_register/show/2500

A referral was made to the Discipline Committee on September 1, 2022 and the ICRC Decision was sent to Dr. Misener on October 27, 2022. This matter is currently at the Pre-Hearing Conference stage.

Dr. Owen Helmkey: https://members.cpo.on.ca/public_register/show/20246

Referrals regarding six different matters were made to the Discipline Committee on November 9, 2022, and the ICRC Decisions were sent to Dr. Helmkey on November 25, 2022. These matters are currently at the Pre-Hearing Conference stage.

PRE-HEARINGS

Dr. Romeo Vitelli: https://members.cpo.on.ca/public_register/show/1461

A Pre-Hearing Conference was held on September 16, 2022. The Hearing has not yet been scheduled.

MOTIONS OR HEARINGS

Motions or Hearings were held for the following matters in the 2nd quarter:

Dr. André Dessaulles: https://members.cpo.on.ca/public_register/show/2530

The Motion for this matter continued on November 7 and 8, 2022. The Hearing has not yet been scheduled.

Dr. Darren Schmidt: https://members.cpo.on.ca/public_register/show/21702

The Hearing was held on October 4, 2022. The Discipline panel's Decision with respect to this matter has not been released.

ONGOING MATTERS

Dr. Ian Shields: https://members.cpo.on.ca/public_register/show/1380

This matter was referred to the Discipline Committee on August 3, 2022. It is currently at the Pre-Hearing Conference stage.

SUBMITTED BY

Marilyn Keyes, Ph.D., C.Psych., Chair

REPORT TO COUNCIL

2022.04.02A(3)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

QUALITY ASSURANCE COMMITTEE

COMMITTEE MEMBERS

Michael Minden, College Member, Chair
Ilia Maor, Public Member, Vice-Chair
Paula Conforti, Council Member
Sabrina Hassan, College Member
Bruno Losier, College Member

David Howard, College Member
David Kurzman, Council Member
Carolyn Kolers, Public Member
Nadia Mocan, Public Member

STAFF

Barry Gang, Deputy Registrar & Director, Professional Affairs
David Fierro, Quality Assurance Coordinator

COMMITTEE ACTIVITY

The full Committee met once during the second quarter, on September 7, 2022.

MEMBER MATTERS

In addition to the full Committee meeting, panels of the Committee met on September 12, November 14, and November 25, 2022, during which a total of 36 member-specific matters were discussed.

SELF ASSESSMENT GUIDE (SAG)

Overview

SAG Reviews Arising from Failure to Declare Completion 2022	10
SAG Reviews Carried Over from Previous Cycles	1
Total SAG Reviews Planned	11

Deferral of Declaration Deadline due to Exceptional Personal Circumstances	2
--	---

	Q1	Q2	Q3	Q4	YTD
Reviews Completed by the Committee	0	2			2
Reviews Not Required Due to Resignation(2)/Death(1)/ Significant Illness(1) of Member		4			4
SAG Reviews Completed					6

Members who were late submitting their Declarations of Completion were reminded by the Committee of the obligation to submit Declarations of Completion on time. In one case, the Committee also advised a member who is authorized to practice in Ontario that, despite currently practicing in another

jurisdiction, it was mandatory that they remain sufficiently familiar with legislation applicable to practice in Ontario.

PEER ASSISTED REVIEW (PAR)

Overview

Reviews Carried Over from Previous Years						61
--	--	--	--	--	--	----

	Q1	Q2	Q3	Q4	YTD
Completed Peer Assisted Reviews	3	6			9
Deferral Granted due to Exceptional Member Circumstances	1	1			2

As reported in previous quarterly reports, the Committee has decided to require all members selected for a PAR to participate either virtually or in-person, without further delay.

The Committee completed reviews of the reports related to six Peer Assisted Reviews in the second quarter. In all six cases, the members were reported to have met the Standards of the profession. The Committee has deferred a Decision about the number of new Peer Assisted Reviews to undertake until later in the year, given that the current pandemic-related backlog of cases exceeds the number of Reviews per year (50) generally planned.

In all cases reviewed, the panels were satisfied that the members' knowledge, skill and judgment appeared to be adequate or better. They thanked the members for their cooperation and informed them that the process was complete.

CONTINUING PROFESSIONAL DEVELOPMENT AUDITS

Overview

Members Selected for Random CPD Audit						41
Members to be Audited due to Lack of Declaration of Completion of Requirements						7
Members to be Selected either because of lack of Declaration by extended deadline, or if submitted by extended deadline, by additional random selection						2
Total Audits Planned for 2022-2023						50

Audits Completed – Outcome	Q1	Q2	Q3	Q4	YTD
Met Program Requirements	0	10			10
Remedial Feedback	0	2			2
Total Audits Completed by Committee					12
Audits Ongoing/Outstanding for 2022-2023					38

In 10 matters, the panels were satisfied that the members appeared to have met or exceeded the minimum requirements of the CPD program. Remedial feedback included the need to ensure that CPD goals are sufficiently specific and lend themselves to monitoring, ideally by using the SMART framework. Remedial feedback also included recommendations that the members include sufficient information in their records to allow for determination of eligibility for credit and verification of the activities. In one case, the member was also advised to include relevant details which demonstrate that credits claimed for satisfaction of the ethics and jurisprudence requirements were sufficiently related to ethics and/or jurisprudence.

SUBMITTED BY

Michael Minden, Ph.D., C.Psych., Chair



REPORT TO COUNCIL

2022.04.02A(4)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

CLIENT RELATIONS COMMITTEE

COMMITTEE MEMBERS

Archie Kwan	Council, Chair
Fred Schmidt	Council, Vice-Chair
Esther Vlessing	Council, Public Member
Cenobar Parker	Council, Public Member
Melanie Morrow	College
Rosemary Barnes	College
Kirsten Barr	College
Diana Mandeleew	College

STAFF

Barry Gang, Deputy Registrar & Director, Professional Affairs
Julie Hahn, Practice Support & Client Relations Coordinator

COMMITTEE ACTIVITIES

The Committee met on October 24, 2022. It is in the process of reviewing staff training materials pertinent to trauma-informed practices. With the support of staff, the Committee is working on the creation of flow charts to assist in their review of eligibility for funding for therapy, as well as the preparation of additional information to assist College members in determining when mandatory reports of sexual abuse by regulated health professionals are required.

Funding for Therapy for Clients Sexually Abused by Members, or Individuals Supervised by Members

A panel of the Committee met on September 9, 2022. It considered and approved one additional application for funding. There are currently 11 individuals whose therapy or counselling is being funded by the College.

SUBMITTED BY

Archie Kwan, Ph.D., C. Psych., Chair



REPORT TO COUNCIL

2022.04.02A(5)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

FITNESS TO PRACTICE COMMITTEE

COMMITTEE MEMBERS:

Ian Nicholson, Chair, Council Member

Marilyn Keyes Council Member

Melanie Morrow, College Member

Esther Vlessing, Public Member

Mark Watson, College Member

The Fitness to Practice Committee held no meetings during the second quarter.



REPORT TO COUNCIL

2022.04.02A(6)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

FINANCE AND AUDIT COMMITTEE

COMMITTEE MEMBERS

Wanda Towers, Chair, Council Member
David Kurzman, Council Member
Cenobar Parker, Public Member
Paul Stopciati, Public Member
Alana Holmes, College Member

STAFF

Rick Morris, Registrar & Executive Director
Barry Gang, Deputy Registrar & Director, Professional Affairs
Stephanie Morton, Manager, Corporate Services
Caitlin O’Kelly, Assistant to the Registrar

COMMITTEE ACTIVITIES

The Finance and Audit Committee (FAC) met by videoconference on November 14, 2022. The Committee reviewed the *Unaudited Financial Statements* and *Variance Report* all to August 31, 2022; the end of the first quarter. In considering the *Statement of Revenue & Expenses*, the FAC reviewed the *Variance Report* which explained items that deviated from the budget by the level of materiality set by Council; items in which spending exceeded the expected budget by \$5,000 or were underspent by \$10,000. The Committee was satisfied with the information presented and voted to receive the reports.

The memorandum from the Registrar & Executive Director confirming the remittances to the Canada Revenue Agency and the Ontario Employer Health Tax for the period June 1, 2022 to August 31, 2022 was received.

ATTACHMENTS

1. Statement of Revenue and Expenses to August 31, 2022
2. Balance Sheet to August 31, 2022 (unaudited)

SUBMITTED BY

Wanda Towers, Ph.D., C.Psych., Chair

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
STATEMENT OF REVENUE & EXPENSES**

June - August, 2022

	Annual Budget	Budget	YTD Actual	YTD \$ Variance	2022-2023 % YTD	Expected % YTD	% Variance YTD	Year End to 31 May-23
REVENUE	3,842,650.00	970,100.03	970,103.35	3.32	25%	25%	0%	3,842,650.00
COST OF SALES	242,642.00	70,987.50	56,925.15	-14,062.35	23%	29%	-6%	242,642.00
GROSS MARGIN	3,600,008.00	899,112.53	913,178.20	14,065.67	25%	25%	0%	3,600,008.00
EXPENDITURES								
Governance	85,550.00	19,762.48	10,123.25	-9,639.23	12%	23%	-11%	85,550.00
Registration	105,000.00	26,250.03	5,744.40	-20,505.63	5%	25%	-20%	105,000.00
Client Relations, Communications & Education	21,000.00	5,250.03	9,815.00	4,564.97	47%	25%	22%	21,000.00
Quality assurance	43,600.00	10,900.02	5,547.00	-5,353.02	13%	25%	-12%	43,600.00
Investigations and resolutions	138,700.00	34,674.99	34,001.78	-673.21	25%	25%	0%	138,700.00
Hearings	390,900.00	97,725.00	85,232.85	-12,492.15	22%	25%	-3%	390,900.00
Liaison (Professional Organizations)	31,800.00	6,774.99	5,047.24	-1,727.75	16%	21%	-5%	31,800.00
Administration	3,158,885.46	779,971.41	824,189.82	44,218.41	26%	25%	1%	3,158,885.46
Total Expenditures	3,975,435.46	981,308.95	979,701.34	-1,607.61	25%	25%	0%	3,975,435.46
EXCESS OF REVENUE OVER EXPENDITURES	-375,427.46	-82,196.42	-66,523.14	15,673.28	18%	25%	-7%	-375,427.46

The College of Psychologists of Ontario
Balance Sheet Comparison
As of August 31, 2022

	Total		
	As of Aug. 31, 2022	As of Aug. 31, 2021 (PY)	Change
Assets			
Current Assets			
Cash and Cash Equivalent			
10000 Petty Cash	200.00	200.00	0.00
10100 Bank	395,359.96	938,533.00	-543,173.04
10199 Telpay Clearing	0.00	0.00	0.00
10250 Cash Equivalents	1,527,251.01	443,889.97	1,083,361.04
12001 Undeposited Funds	0.00	0.00	0.00
Total Cash and Cash Equivalent	\$ 1,922,810.97	\$ 1,382,622.97	\$ 540,188.00
Accounts Receivable (A/R)			
10400 Accounts Receivable - Control	12,230.35	15,453.51	-3,223.16
Total Accounts Receivable (A/R)	\$ 12,230.35	\$ 15,453.51	-\$ 3,223.16
10300 Short Term Investments	5,076,927.08	5,729,125.38	-652,198.30
10410 Accounts Receivable - Other	0.00	0.00	0.00
10550 Interest Receivable	0.00	561.80	-561.80
10600 Prepaid Expenses	57,936.26	29,463.81	28,472.45
10800 Government Funding-ABA	-140,775.40		-140,775.40
Total Current Assets	\$ 6,929,129.26	\$ 7,157,227.47	-\$ 228,098.21
Non-current Assets			
Property, plant and equipment			
12000 Furniture & Equipment			
12010 Furniture & Equipment - Cost	177,107.75	52,815.39	124,292.36
13000 Accum Amort Furniture & Equip	-80,894.38	-48,195.46	-32,698.92
Total 12000 Furniture & Equipment	\$ 96,213.37	\$ 4,619.93	\$ 91,593.44
12100 Computer Equipment			
12110 Computer Equipment - Cost	143,342.76	140,958.46	2,384.30
13100 Accum Amort Computer Equipment	-140,094.66	-127,910.95	-12,183.71
Total 12100 Computer Equipment	\$ 3,248.10	\$ 13,047.51	-\$ 9,799.41
12200 Leasehold Improvements			
12210 Leasehold Improvements - Cost	1,331,174.87	1,331,174.87	0.00
13200 Accum Amort Leaseholds	-386,923.36	-272,691.95	-114,231.41
Total 12200 Leasehold Improvements	\$ 944,251.51	\$ 1,058,482.92	-\$ 114,231.41
12300 Website Development			
12310 Website Development - Cost	0.00	0.00	0.00
13300 Accum Amort Website Devt	0.00	0.00	0.00
Total 12300 Website Development	\$ 0.00	\$ 0.00	\$ 0.00
Total Property, plant and equipment	\$ 1,043,712.98	\$ 1,076,150.36	-\$ 32,437.38
10302 Long Term Investment	0.00	40,262.40	-40,262.40
Total Non Current Assets	\$ 1,043,712.98	\$ 1,116,412.76	-\$ 72,699.78
Total Assets	\$ 7,972,842.24	\$ 8,273,640.23	-\$ 300,797.99

These statements have been prepared based on information provided by management/owners. These statements are for internal purposes only and should not be relied on by third parties.

	Total		
	As of Aug. 31, 2022	As of Aug. 31, 2021 (PY)	Change
Liabilities and Equity			
Liabilities			
Current Liabilities			
Accounts Payable (A/P)			
21000 Accounts Payable - Control	100,597.92	62,035.20	38,562.72
Total Accounts Payable (A/P)	\$ 100,597.92	\$ 62,035.20	\$ 38,562.72
21100 Accounts Payable - Other	271,909.21	241,805.58	30,103.63
22000 Employee Tax Deductions Payable	31,121.28	24,313.49	6,807.79
22100 Payroll Clearing	0.00	0.00	0.00
23000 Prepaid Fees	2,401,015.50	2,366,252.00	34,763.50
24000 Peer Mentorship - Clearing	0.00	0.00	0.00
25500 GST/HST Payable	0.00	0.00	0.00
Direct Deposit Payable	0.00		0.00
Payroll Liabilities			0.00
Life Insurance Premium	0.00		0.00
LTD	0.00		0.00
RRSP	0.00		0.00
Vacation Pay	0.00		0.00
Total Payroll Liabilities	\$ 0.00	\$ 0.00	\$ 0.00
Total Current Liabilities	\$ 2,804,643.91	\$ 2,694,406.27	\$ 110,237.64
Non-current Liabilities			
27000 Deferred Leasehold Inducement	237,642.85	269,470.01	-31,827.16
Total Non-current Liabilities	\$ 237,642.85	\$ 269,470.01	-\$ 31,827.16
Total Liabilities	\$ 3,042,286.76	\$ 2,963,876.28	\$ 78,410.48
Equity			
30000 Opening Balance Equity	0.00	0.00	0.00
31100 Investigtns&Hearing ReserveFund	850,000.00	850,000.00	0.00
31200 Contingency Reserve Fund	1,000,000.00	1,000,000.00	0.00
31300 Fee Stabilization Reserve Fund	820,000.44	1,000,000.44	-180,000.00
31400 Website&DatabaseDevtReserveFund	165,872.02	165,872.02	0.00
31500 Premises Reserve Fund	227,742.00	227,742.00	0.00
31600 FairRegn Practices Reserve Fund	80,000.00	80,000.00	0.00
Retained Earnings	1,853,464.16	2,047,929.91	-194,465.75
Profit for the year	-66,523.14	-61,780.42	-4,742.72
Total Equity	\$ 4,930,555.48	\$ 5,309,763.95	-\$ 379,208.47
Total Liabilities and Equity	\$ 7,972,842.24	\$ 8,273,640.23	-\$ 300,797.99



REPORT TO COUNCIL

2022.04.02A(7)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

EQUITY, DIVERSITY, AND INCLUSION WORKING GROUP

COMMITTEE MEMBERS:

Donna Ferguson, Chair, College Member
Wanda Towers, Vice-Chair, Council Member
Kofi Belfon, College Member
Michael Grand, College Member
Tae Hart, College Member
Chris Mushquash, College Member

STAFF SUPPORT:

Rick Morris, Registrar & Executive Director
Caitlin O’Kelly, Assistant to the Registrar

MEETINGS

The Equity, Diversity, and Inclusion (EDI) Working Group met on:

- September 19, 2022
- October 24, 2022
- November 17, 2022

FOR INFORMATION

The focus of the Working Group discussions was on the member survey undertaken earlier in the spring. The results have yielded a vast amount of information and the Working Group is exploring how it can be considered and most appropriately and effectively interpreted and used. The Client Relations Committee has asked the Working Group to review the public facing documents related to funding for therapy and others created by that Committee. This request was discussed, and a plan put in place for this review.

SUBMITTED BY

Donna Ferguson, Ph.D., C.Psych., Chair

REPORT TO COUNCIL

2022.04.02A(8)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

ABA WORKING GROUP

WORKING GROUP MEMBERS

Jennifer Cunningham, M.ADS., BCBA

Nancy Marchese, Ph.D., C.Psych., BCBA-D, President, Ontario Association for Behaviour Analysis (ONTABA)

Nicole Neil, Ph.D., BCBA-D, Western University, ABA Program Coordinator

Adrienne Perry, Ph.D., C.Psych., BCBA-D, Registration Committee Co-Chair

Kendra Thomson, Ph.D., BCBA-D, Brock University ABA Faculty

Wanda Towers, Ph.D., C.Psych., College President

Scott Warnock, Public Member

STAFF

Paula Garshowitz, OD, ABA Regulation-Project Lead

Rick Morris, Ph.D., C.Psych., Registrar & Executive Director

Caitlin O'Kelly, Assistant to the Registrar

MEETINGS

The ABA Working Group met five times since the September Council meeting and holds regular two-hour meetings on alternate Wednesdays. The Ministry of Health was invited to observe the meetings and resumed attendance at the last few meetings.

FOR INFORMATION

The ABA Working Group discussed:

- Details of the transitional routes for registration of experienced Behaviour Analysts; in particular, the details of evidence of current practice and competence for applicants who do not hold BCBA or BCBA-D certification;
- The development of an Ontario examination of knowledge or competence for registration purposes, including engaging members of the ABA profession in this project;
- Meetings held with stakeholders, including representatives of the Ministry of Health;
- A jurisprudence and ethics module for registration purposes;
- Feedback received by the College during the regulation amendment consultation period, which was launched on October 3. The College has received 294 responses from individuals, and seven organizational responses;
- Development of a Standards of Professional Practice document modelled on the Standards document the College has in place for the practice of Psychology, incorporating standards articulated by the ABA profession.

RECOMMENDATION TO COUNCIL

The ABA Working Group met to consider all responses received and based on this feedback, prepared its recommendation for Council. The Working Group recommends Council approve the regulation amendments as circulated, with minor revisions to the Registration Regulation, for submission to the

Ministry of Health for approval. A Briefing Note, along with documentation supporting this recommendation, are found elsewhere in the meeting materials (Agenda item .03A).

CONTACT FOR QUESTIONS

Rick Morris, Registrar & Executive Director

SUBMITTED BY

Paula Garshowitz, ABA Regulation-Project Lead

REPORT TO COUNCIL

2022.04.02A(9)

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

JURISPRUDENCE AND ETHICS EXAMINATION COMMITTEE (JEEC)

COMMITTEE MEMBERS

Mary Ann Mountain (Chair), College Member
 Paula Conforti, Council Member
 Audrey Cooley, College Member
 Donna Ferguson, College Member
 Tae Hart, College Member

Gilles Hébert, College Member
 Meghan McMurtry, College Member
 Julie Paré, College Member
 Susan Vander Morris, College Member
 Scott Warnock, Public Member

STAFF SUPPORT:

Rick Morris, Registrar & Executive Director
 Caitlin O’Kelly, Assistant to the Registrar

Lesia Mackanyn, Director, Registration
 Shannon Elliott, Registration Assistant

ACTIVITIES

The JEEC met on November 14 and 21, 2022, via Zoom. The meeting on November 14 was primarily focused on the final report for the March 2022 examinations as well as updates on the item bank review. The meeting on the 21st focused on item review.

With the end of term for three members, Drs. Ritchie, Troyer, and Sinclair, three new members have been added to the Committee. The Chair welcomed Drs. Vander Morris, McMurtry and Paré to the Committee and thanked them for their interest.

Examination – September 2022

The final report on the September 2022 examination was received and approved.

The September 2022 exam was written by 132 candidates with a 70% pass rate. This pass rate is within the range seen since the change was made to use the scores of Ontario-trained first-time test takers as the reference group beginning with the March 2020 exam. Previously, the scores of all candidates were used as the reference group.

The candidate comments continue to note technical issues, specifically, delays in accessing the exam. Some candidates also responded that the wording of some items was needlessly complex or that items did not reflect situations that would happen in a real practice. The Committee is conducting a complete item bank review (see below) during which these issues will be considered.

JEE Format

At the previous meeting, the Registrar reviewed Jurisprudence and Ethics Examinations in other jurisdictions. Dr. Morris noted that some jurisdictions have open book exams, and some rely on their oral examination to evaluate the candidates’ competency in this area. Dr. Nayer provided an article reviewing

research on open versus closed-book exams for the information of the Committee. The Committee noted that the failure rate on open book exams tended to be higher, according to the research, primarily due to a higher cut score for passing being used. The Committee agreed that there does not seem to be any strong evidence for changing the exam format to open book.

List of Legislation

At the previous meeting, the Registrar presented questioned if the list of legislation provided to candidates writing the JEE may include legislation that would not be considered necessary for entry-level practice and also whether there was some pieces of legislation noted for which no items have been written for the exam. The Chair will review the list and develop a plan to assign Committee members to review documents in which they have more experience and to recommend whether the documents should remain, in whole or in part, on the list of recommended reading.

Complete Item-Bank Review

The Committee began a review of the complete item bank with a full-day meeting in September. Committee members were assigned to working groups of two to three members with each review approximately 60 items over the next two months. Each working group reported that the review is going well, with mostly minor revisions to the language of the items to promote clarity of questions and to ensure principles of equity, diversity, and inclusion are considered. Each working group anticipates having their work done by the end of November. Items requiring major revisions or further discussion will be reviewed by the whole Committee in January. The working groups are also building a lexicon of terminology to ensure consistency across the item bank.

Item-Bank Review

Given that three new members have joined the Committee, prior to the item bank review work, Dr. Marla Nayer provided information to the Committee on the development of multiple-choice questions and the statistics used by the Committee to determine item difficulty, and whether to retain items in the bank.

Members of the Committee reviewed 21 items on November 21, 2022 (some items are reviewed under more than one category), including two items specifically noted by two candidates as having issues; one was approved with a minor edit and the other was noted to require additional rewriting, which will be done at a future meeting. It was noted that all 6 of the new items used on the September examination performed well overall. Twenty new items that had been revised in May were also reviewed. While most were finalized and will be added to the item-bank a few were deemed to be not entry-level or had significant flaws and were not approved.

SUBMITTED BY

Mary Ann Mountain, Ph.D., C.Psych. ABPP(CN), Chair



REPORT TO COUNCIL

2022.04.02B

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

STAFF PRESENTATIONS

Dr. Rick Morris, Registrar & Executive Director

- September 30, 2022: GTA Internship Consortium, CAM-H
- November 10, 2022: Bioethics Week Rounds, Hospital for Sick Children
- November 16, 2022: Graduate Ethics Class, Western University
- December 1, 2022: Oral Examiners' Briefing
- December 1, 2022: ABA 2022 Convention – Remarks

Mr. Barry Gang, Deputy Registrar & Director of Professional Affairs

- September 22, 2022: Public Protection & Regulatory Support, Ontario Association of Mental Health Professionals (OAMHP) Annual Conference
- November 16, 2022: Challenges in Providing Psychological Services to Clients in Correctional Settings, Correctional Services Canada

BRIEFING NOTE

2022.04.03A

DECEMBER 2022 COUNCIL MEETING

DRAFT ABA REGULATION AMENDMENTS – CONSULTATION RESULTS

MOTION FOR CONSIDERATION

That the amended regulations updated to include the profession of Applied Behaviour Analysis be approved and submitted to the Ministry of Health. These include amendments to:

- O.Reg. 74/15 Registration
- O.Reg. 801/93 Professional Misconduct
- O.Reg. 209/94 General (Quality Assurance and Advertising)

PUBLIC INTEREST RATIONALE

To prepare for proclamation of the [Psychology and Applied Behaviour Analysis Act, 2021](#), the College has developed Regulations related to the regulation of Behaviour Analysts. To ensure that all draft proposals reflect the College's public interest mandate and to mitigate risk of harm to the public, the College engaged the profession of Applied Behaviour Analysis as well as members of the College and a public member of Council in the development of the draft Regulations. To broaden the range of input into the draft Regulation development, the College circulated the proposals to members, as required by legislation, but also to numerous other stakeholders.

BACKGROUND

At its September 23, 2022 meeting, Council passed a motion to circulate draft Regulation amendments related to the regulation of Behaviour Analysts for 60 days to obtain feedback and comment from members and stakeholders. Amendments to these Regulations are necessary to welcome Behaviour Analysts into what will be the new College of Psychologists and Behaviour Analysts of Ontario to be established under the yet to be proclaimed *Psychology and Applied Behaviour Analysis Act, 2021*.

UPDATE

The consultation materials were distributed to members (4806), non-member College email subscribers (508), and stakeholders¹ (184) on October 3, 2022. A reminder was published in the October 2022 issue of *HeadLines*. In an effort to obtain the broadest possible response, email reminders were sent to members, subscribers and stakeholders on November 14, 2022 and November 25, 2022. The consultation was also posted on the College's social media accounts with reminders posted there as well. In addition, the consultation was provided to Ontario Association for Behaviour Analysis (ONTABA) and Behavior Analyst Certification Board (BACB) for distribution to their members. The deadline for responses was December 2, 2022. The consultation materials can be found on the [College website](#). Members of the College, members of the public and stakeholders were invited to comment using the online survey provided or by e-mail or letter, if they preferred.

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

The College received 301 responses to the consultation: 294 individual responses (278 using the survey provided and 16 by e-mail); and 7 organizational responses.

ABA WORKING GROUP RECOMMENDATION TO COUNCIL:

The ABA Working Group did an extensive review of all feedback received in an effort to consider any changes that may be required to the regulations as circulated. Based on this review, the Working Group is recommending Council consider five minor changes to the amendments to O.Reg. 74/15 Registration circulated. These are shown as ‘tracked changes’ below:

Entry-Level Requirements:

- Amend the following Provisions: 27. (1) (i-iii) and 27 (2) as follows:

27. (1) 1. The applicant must have obtained:

- 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 Council for that purpose, or
- 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 Council for that purpose, or
- 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 Council for that purpose; or

27. (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).

These amendments clarify the requirement of a master’s or doctoral level degree for registration.

Transitional Route #2:

- 30. (2) 1. 1. The applicant must have engaged in practice in Canada within the scope of practice of applied behaviour analysis for at least 1500 hours during the ~~three~~ four-year period that immediately preceded the date that the applicant submitted their application;

This proposal increases the number of years of practice within which a Behaviour Analyst may accumulate 1500 practice currency hours before applying to the College, from three years to four years. The change takes the effect of the pandemic into account, where Behaviour Analysts may not have had the same frequency of opportunities to practice.

- 30. (2) 2. The applicant must provide evidence satisfactory to the Registrar or the Registration Committee of competence to practice as a Behaviour Analyst responsible for independent clinical decision-making.

The added phrase makes it clear that responsibility for independent clinical decision-making is a necessary component of competent practice as a Behaviour Analyst. Those working under the supervision of a Behaviour Analyst will not meet this registration requirement.

Requirements for Supervisors

- Add Section 31. (3) 4., to supervisor requirements:
[4. They must meet any other requirements established by the College to ensure competence in supervision.](#)

This additional statement gives the College the opportunity to increase the supervision standard over time. Later, for example, the College could require a supervision course or a 2-year experience requirement.

Academic Certificate of Registration:

- Include in Section 35. under 1., those teaching in a degree program at a community college:
 1. The applicant must occupy a full-time or regular academic position on the faculty of [a degree program in behaviour analysis at](#) an Ontario university [or other Ontario post-secondary institution.](#)

Many public colleges offer degree programs in behaviour analysis at the bachelor's level. This amendment will allow those teaching in these institutions, who no longer wish to practice ABA, to apply for an Academic Certificate of registration.

Attached to this Briefing Note are a number of documents further presenting the results of the consultation. These include the Consultation Survey Results presented in graph form; a side-by-side table presenting a summary of the themes of the consultation feedback and an explanation or discussion of each; the final version of draft O.Reg. 74/15 Registration highlighting the changes to the current regulation made to add the profession of Applied Behaviour Analysis and including the changes made in response to the consultation; and the responses obtained from organizations. The final document is the draft O. Reg. 801/93(Professional Misconduct) and O. Reg. 209/94 (General) which have no changes from the versions approved for circulation by Council in September.

Council is being asked to approve the following draft Regulation amendments for submission to the Ministry of Health:

- O.Reg. 74/15 Registration, with the minor revisions described,
- O.Reg. 801/93 Professional Misconduct, as circulated; and
- O.Reg. 209/94 General (Quality Assurance and Advertising), as circulated.

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

ATTACHMENTS

1. Appendix A - Consultation Survey Results
2. Appendix B - Themes Raised by Members and Stakeholders During Consultation (Table)
3. Appendix C - O. Reg. 74/15, with recommended revisions resulting from consultation
4. Appendix D - Responses from Organizations
5. Appendix E- O. Reg. 801/93(Professional Misconduct) and O. Reg. 209/94 (General) as circulated.
6. Link to Consultation Document on the College Website: <https://cpo.on.ca/aba-consultation-regulation-amendments-2022-10-03/>

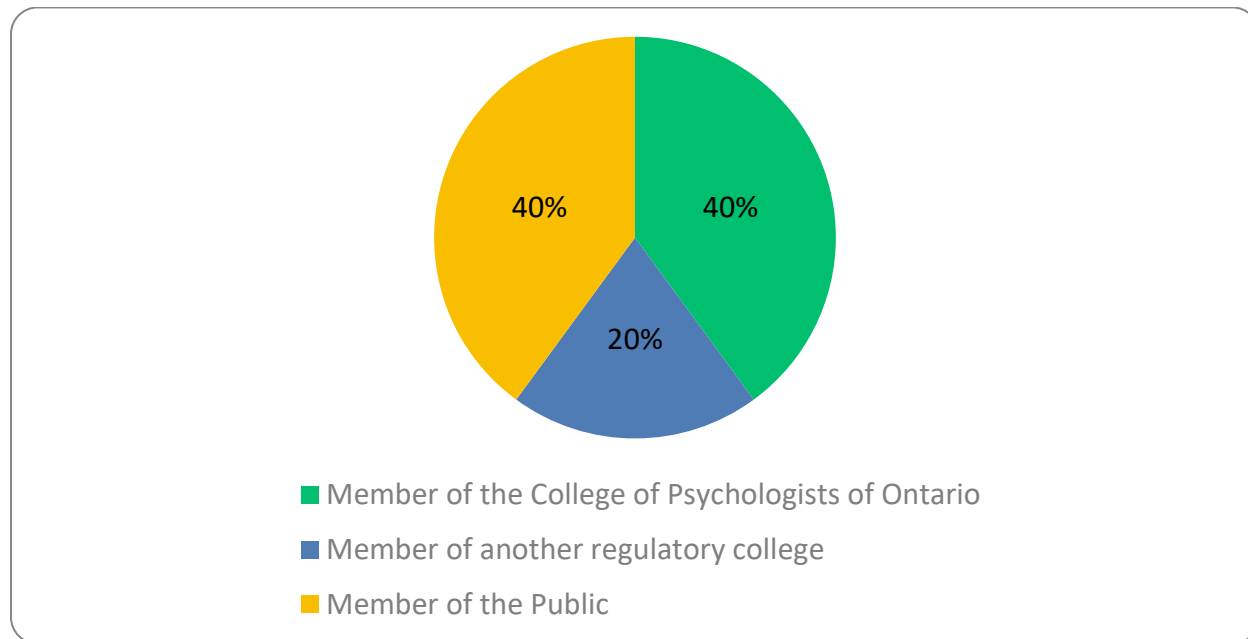
CONTACT FOR QUESTIONS

Rick Morris, Registrar & Executive Director
Paula Garshowitz, ABA Regulation-Project Lead

APPENDIX A - CONSULTATION SURVEY RESULTS

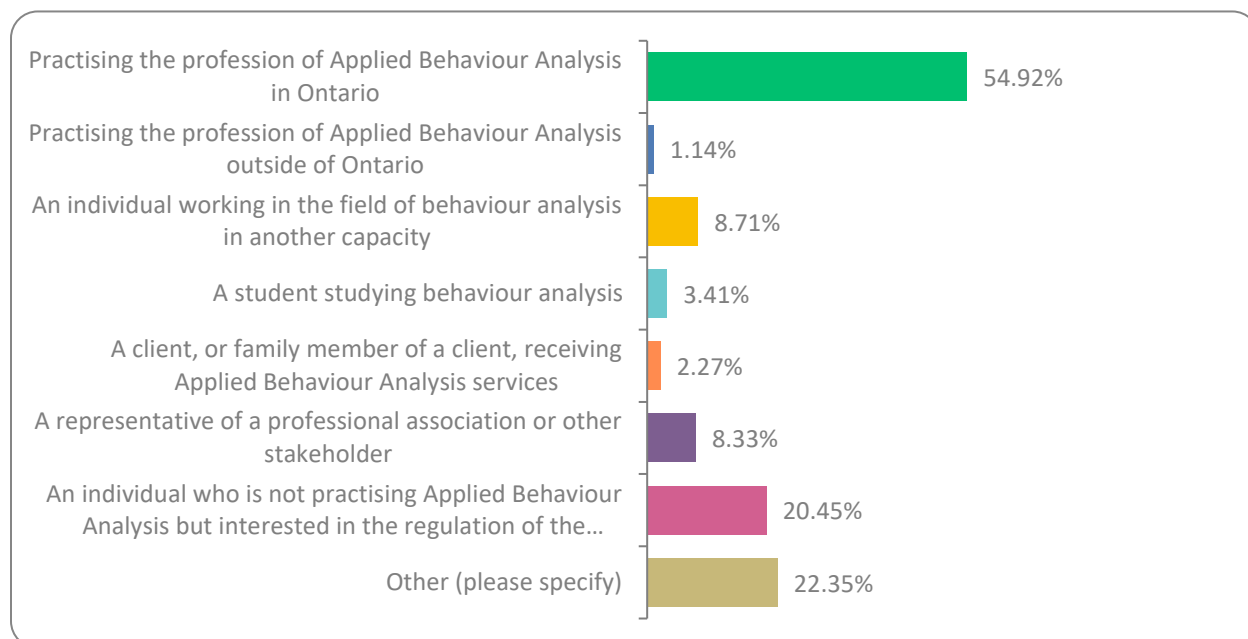
I am a:

Answered: 278 Skipped: 0



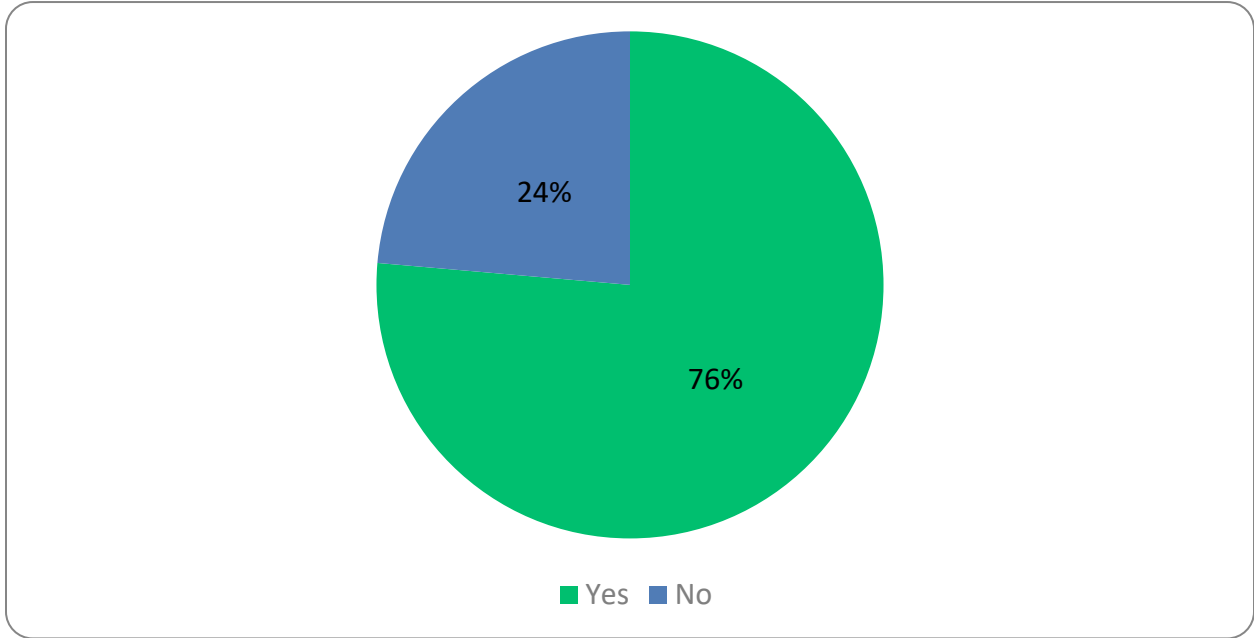
I am:

Answered: 264 Skipped: 14



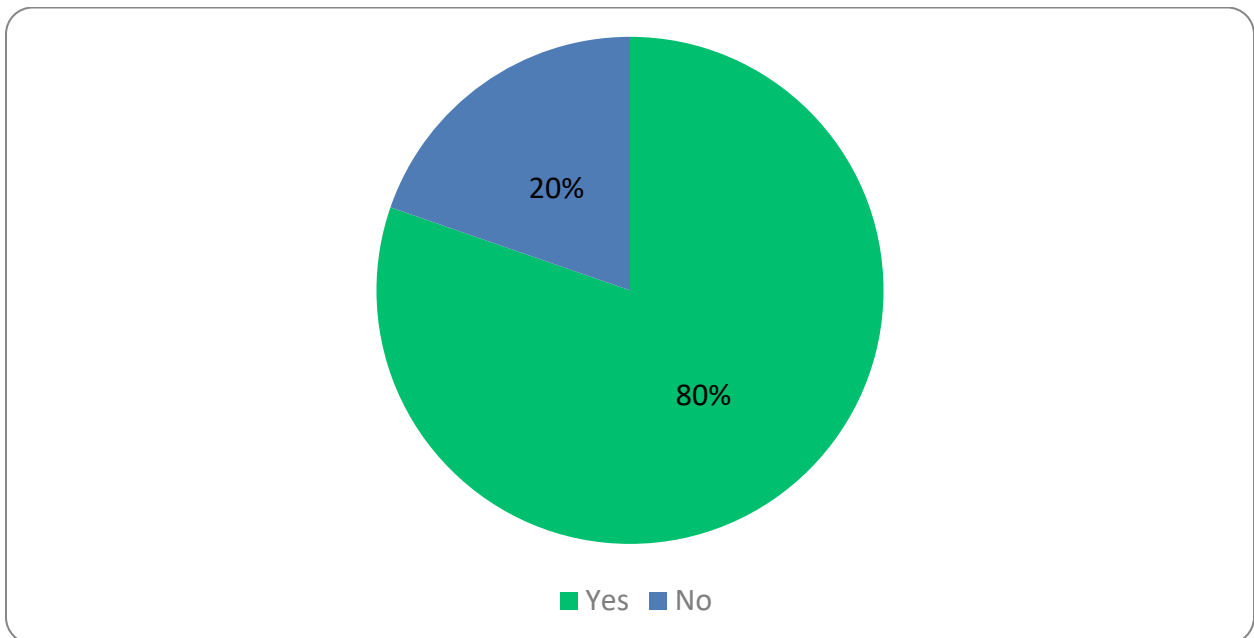
In principle, overall, do you agree that the regulation amendments proposed by the College of Psychologists of Ontario to regulate the profession of Applied Behaviour Analysis are in the public interest?

Answered: 271 Skipped:



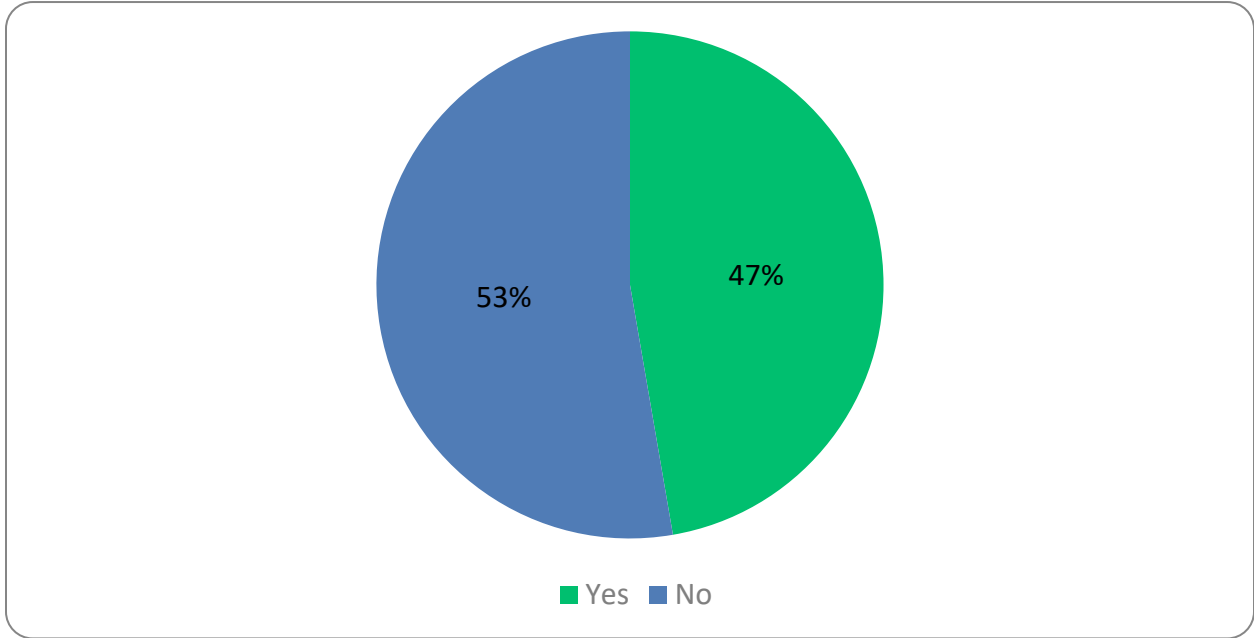
Do you agree that the Transitional Route 1 registration requirements are sufficient to protect the public?

Answered: 259 Skipped: 19



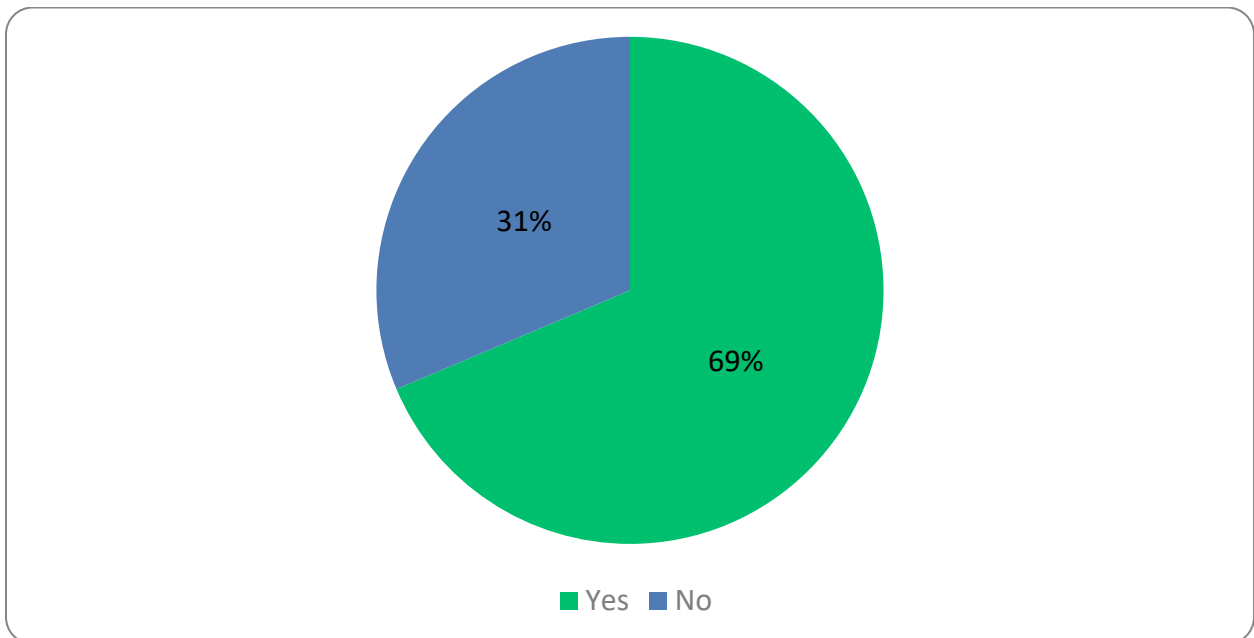
Do you agree that the Transitional Route 2 registration requirements are sufficient to protect the public?

Answered: 258 Skipped: 20



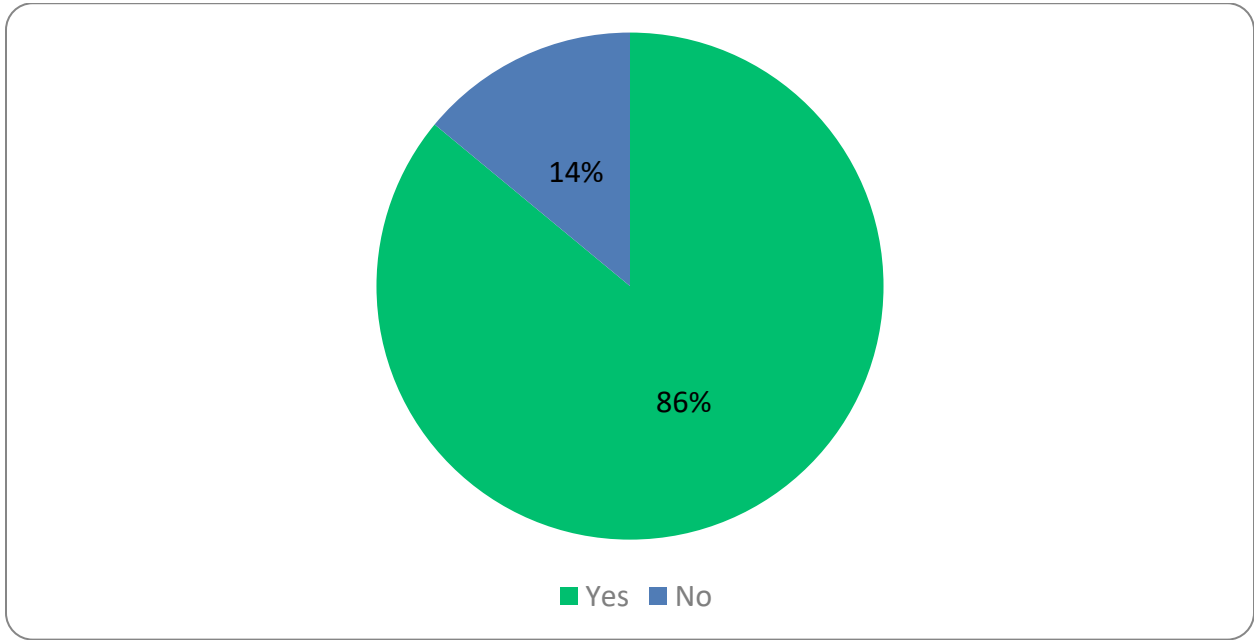
Do you agree that the entry level requirements are sufficient to protect the public?

Answered: 255 Skipped: 23



Do you agree that the proposed amendments to the Professional Misconduct and General Regulations are sufficient to protect the public?

Answered: 250 Skipped: 28



APPENDIX B - THEMES RAISED BY MEMBERS AND STAKEHOLDERS DURING THE CONSULTATION

The College received a total of 301 responses to the consultation. A summary of the comments are divided into the following categories:

1. Comments related directly to the proposed regulation amendments;
2. Comments related to policies and guidelines that are currently under development by the College but not specifically described in the regulation;
3. Other issues raised related to the regulation of Behaviour Analysts;
4. Comments related to the [Psychology and Applied Behaviour Analysis Act, 2021](#), which has been passed by the government but is not yet in force and
5. Comments unrelated to the proposed amendments or the regulation of Behaviour Analysts.

The following table will address issues raised under the first three categories. While the College was interested in comments made regarding the last two categories, the issues raised relate to matters prescribed in the *Act* and not within the purview of the College to amend. Therefore, these areas are not discussed.

1. COMMENTS RELATED TO THE PROPOSED REGULATION

	General Comments	Notes
1.	<p>Concerns about general competence, training, and knowledge base of Behaviour Analysts. Narrow focus of practice for some currently practising Applied Behaviour Analysis (ABA); must practice in area of competence.</p> <p>Concerns that those who register will practice outside of their area or level of competence, scope of practice.</p> <p>Behaviour analysts don't have the knowledge and expertise to apply interventions at a behavioural level; should be practised with oversight of a psychologist.</p> <p>Don't have knowledge about intellectual and cognitive facts that affect ABA treatment.</p>	<p>The government made the decision to regulate the profession of Applied Behaviour Analysis and passed the Psychology and Applied Behaviour Analysis Act, 2021. This Act placed the profession's regulation under the jurisdiction of the College of Psychologists and Applied Behaviour Analysts.</p> <p>The proposed registration requirements protect the public by ensuring entry-level competence of Behaviour Analysts registering with the College. Once an individual is a member of the College, they are accountable to it and must comply with the regulations, standards and policies related to the practice of the profession. This includes maintaining the standards of practice and complying with the College's Quality Assurance Program.</p> <p>As with all members of the College, Behaviour Analyst members must only practise the profession within the areas of the profession in which they are competent. The College's Inquiries Complaints and Reports process provides a forum for members</p>

		of the public to lodge a complaint should they believe that a Behaviour Analyst has not provided safe, quality care. The College has the authority to sanction any member of the College if they are found to have committed acts of professional misconduct or to be incompetent.
2.	Information lacking about Jurisprudence and Ethics module; not high stakes like JEE exam for psychology. Module may put the public at risk.	An educational module, based on the Jurisprudence and Ethics module developed by the Ontario Association of Behaviour Analysts (ONTABA) ensures that registrants understand and are able to apply the relevant legislation and ethics concepts. A similar approach is used by many other regulatory colleges and appropriate where no controlled acts are authorized to a profession.
3.	Unclear of registration route for BCaBAs or RBTs.	At this time, the government has decided to regulate only Behaviour Analysts. In future, the government may decide to regulate Assistant Behaviour Analysts, Behaviour Technicians, and other frontline workers.
Transitional Route #1 Registration Requirements		
4.	Needs to be some evaluation of existing professionals, not dependent on BACB. Assumes that US based BACB requirements are sufficient and stringent enough for Ontario regulation requirements and practice standards. Focus on BACB certification inappropriate; should be open to more types of applicants.	The College reviewed the criteria established by the Behavior Analysts Certification Board (BACB) for certification as a Board-Certified Behavior Analyst (BCBA, BCBA-D) and believe their criteria to be robust and based on the standards set by the profession.
5.	Route 1 should be available after transitional period to ease capacity issues in Canadian programs; should extend this route for an additional 24 months to account for those currently in an academic program.	Proposed Section 27 (3) of the Registration Regulation provides a registration route for those practising the profession in another jurisdiction and who wish to register in Ontario. This route includes a provision for those holding a certification approved by Council and who meet other criteria for registration. Section 28. provides a separate labour mobility route should other Canadian provinces regulate the ABA profession.

Transitional Route #2 Registration Requirements		
6.	<p>Concerns about Transitional Route #2- not stringent enough.</p> <p>Unsure if HPRACs quality concerns are addressed.</p>	<p>The College continues to develop the process for applicants to provide evidence of competence and to ensure that those who are registered practise the profession competently. This process will be informed by the many comments the College received during this consultation about this provision. An important characteristic of the profession of Applied Behaviour Analysis is the professional’s responsibility for independent clinical decision-making.</p> <p>To ensure that this indicator of professional practice is part of an applicant’s practice, a recommendation is made to add a phrase to the regulation that makes it clear that responsibility for independent clinical decision-making is a necessary component of competent practice as a Behaviour Analyst. Those working under the supervision of a Behaviour Analyst will not meet this registration requirement.</p> <p>Recommended Revision to the Registration Regulation as circulated:</p> <p>30. (2) 2. The applicant must provide evidence satisfactory to the Registrar or the Registration Committee of competence to practice as a behaviour analyst responsible for independent clinical decision-making.</p>
7.	<p>Should require BACB certification at BCBA or BCBA-D level; no other transitional route should be accepted or available.</p> <p>Someone who is qualified should have already undertaken to earn BCBA certification (have had lots of time to upgrade).</p> <p>Those not BACB certified do not recognize the limits of their practice putting the public at risk</p>	<p>To ensure that the public continues to receive uninterrupted services from Behaviour Analysts, it was determined that a “grandparenting” or transitional route to registration was necessary to give a registration route for those who provide evidence of competence to practice the profession and whose practice is current. This protects the public and ensures continuation of services to clients. It was established that not all Behaviour Analysts have been provided with opportunities in their career to earn a certification credential yet may be practising competently. This grandparenting opportunity is time-</p>

	Grandparenting already happened when BACB allowed ON behaviour analysts to apply for certification between 2006-2011.	limited to two years, after which those who are new to the profession, or who did not register using one of the transitional routes, will be required to apply under the entry-level route of registration.
8.	There should be a minimum educational requirement; should be minimum MA or MEd; incompetence and insufficient training at the University level; lack of ethical coursework/training.	Behaviour analysis education has only been available in Ontario for the past 10-15 years. Many competent behaviour analysts may have learned the profession ‘on the job’ without formal education. As noted above, it is important to ensure that the public continues to receive uninterrupted services from qualified Behaviour Analysts without certification. These Behaviour Analysts will be given the opportunity to register with the College for a limited time. All members of the College are expected to uphold the ethical and professional standards articulated by the College.
9.	Should require supervised experience for Route 2.	The transitional registration routes are intended to enable registration while minimizing disruption to client care. Supervised practice was not seen as necessary for those already in independent practice and are able to provide evidence of current competence.
10.	Should require an examination of ABA basics. Proposed exam of questionable rigor.	An examination of knowledge or competence, modelled after the BACB examination, is being developed following current high standards in the exam industry for defensible, valid, and fair examinations. The profession will be engaged in the development of the examination.
11.	Should recognize psychologists working in the field who do not have a specific formal education in ABA. Psychologists providing ABA services part time may not have sufficient practice currency to register under Route 2.	Psychologists, Psychological Associates or anyone, who does not meet the criteria for registration, may continue to use behavioural techniques in their practice, but may not hold themselves out as someone who is qualified to practice ABA or use the title “Behaviour Analyst”. The legislation provides no exemption for Psychologists or any other regulated health

		<p>professional with regard to the use of the title “Behaviour Analyst”.</p>
<p>12.</p>	<p>Should have a different title for those who do not have post-graduate education.</p> <p>Non-BCBA/BCBA-D registrants should not be allowed to practice autonomously; only BCBA’s should be allowed to practice autonomously.</p>	<p>Once registered with the College, Behaviour Analysts, regardless of their transitional route to registration, will have been deemed competent and authorized to practice the profession autonomously. Those who apply through the entry level route, and who complete the requisite 1500 hours of supervised practice and pass the competency examination, will also be authorized to practice autonomously.</p>
<p>13.</p>	<p>1500-hour practice currency requirement should consider the effects of the pandemic on ABA practice.</p> <p>Should increase practice currency requirement to 2000 hours from 1500.</p>	<p>The 1500-hour practice currency requirement is consistent with transitional registration requirements of other Colleges and is approximately the equivalent of one year of full-time practice. It is believed to be the minimum time necessary to demonstrate competent practice of the profession. A longer period was felt to be unnecessary.</p> <p>Consideration was given to extending the period of the practice currency requirement beyond three years given the COVID-19 pandemic. A recommendation is made to increase the number of years, from three to four, during which a Behaviour Analyst may accumulate 1500 practice currency hours before applying to the College. The change takes the effect of the pandemic into account, where Behaviour Analysts may not have had the same frequency of opportunities to accumulate practice hours.</p> <p>Recommended Revision to the Registration Regulation as circulated:</p> <p>30. (2) 1. 1. The applicant must have engaged in practice in Canada within the Scope of Practice of applied behaviour analysis for at least 1500 hours during the three four-year period that immediately preceded the date that the applicant submitted their application;</p>

	Entry Level Registration Requirements	
14	Should only accept BCBA/BCBA-D for registration; requirements should be identical to BACB or working towards certification.	See response to #7. The ABA Working Group took BACB certification requirements into consideration when developing the entry-level requirements. The final recommendations were felt to be in the public interest while meeting the principles of transparency, objectivity, impartiality, and fairness, while considering the availability of ABA post-graduate educational opportunities in Ontario and capacity of the profession in the province.
15.	Requirements too stringent - will negatively impact capacity	See #14, above. The requirements were felt to be fair and would not adversely affect capacity of the profession while adding the protection afforded to the public through regulation of the profession.
16.	How will the College determine equivalent degrees? Ensure that an agreement with a third-party provider of credential assessments meets the College's legal obligations.	For applicants who do not hold a degree from a Canadian university, an initial credential assessment of the degree will be conducted by a third-party provider, approved by the College, to ensure authenticity, validity, and equivalence to a Canadian degree. The Registration Committee will develop policies to inform its case-by-case decision-making, based on the credential assessment report and other information it receives in the application.
17.	Give credit for supervision hours completed during education program. Supervised practice requirement too short. Increase supervised practice hours from 1500 to 2000 in accordance with BACB.	ABA programs differed in the exposure that students have to clinical practice of the profession. Accordingly, to ensure entry-level competence and readiness for autonomous practice, those entering the profession must undergo 1500 hours, or approximately the equivalent of one year of full-time practice under the supervision of a Behaviour Analyst member of the College before being authorized for autonomous practice. During this time, Supervised Practice Members will, with the support of their supervisor, prepare to challenge the examination of knowledge or competence. A longer period of supervised practice was considered but was determined to be unnecessary.

<p>18.</p>	<p>Concerns about availability of supervisors (not enough); additional requirements should be necessary to be able to supervise; should allow supervisors from outside of Ontario.</p> <p>All clinical supervisors should be BCBA or BCBA-D.</p> <p>Allow more than one supervisor.</p>	<p>To ensure sufficient numbers of supervisors during the initial registration period, those who are registered and authorized to practice autonomously, may supervise a member authorized for supervised practice.</p> <p>A recommendation is made to add a provision to the Registration Regulation that gives the College the opportunity to increase the supervision standard over time. For example, the College could decide in the future, to require a supervision course or a 2-year experience requirement.</p> <p>Recommended Addition to the Registration Regulation as circulated: Add Section 31. (3) 4., to supervisor requirements: 4.They must meet any other requirements established by the College to ensure competence in supervision.</p>
<p>19.</p>	<p>Should allow US accredited programs or US colleges with VCS, not just Canadian.</p>	<p>These programs are allowed under Section 27. (1) 1. (ii).</p>
<p>20.</p>	<p>Further define the term “post-graduate degree”.</p>	<p>A post-graduate degree from a Canadian university would include degrees at the master’s or PhD level. It would not include certificates or diplomas from a university or community college.</p> <p>Recommended Revision to the Registration Regulation as circulated: Amend the wording in each of Section 27. (1) (i-iii) and 27 (2) where each refers to a post-graduate degree as follows: a post-graduate degree, at a minimum master’s level,</p>
<p>21.</p>	<p>Ensure that the post-registration supervised practice requirement is not a Canadian experience requirement - consider making 1500 hours a maximum with the Registration Committee able to reduce hours for some international registrants.</p>	<p>ABA programs differ in the exposure that students have to clinical practice of the profession with a range of variability in the quality of supervised practice experience. Post-registration supervised practice is necessary to ensure entry-level competence and</p>

	<p>Explain the basis for the 1500 hours of supervised practice.</p>	<p>readiness for autonomous practice and is not a Canadian experience requirement.</p> <p>Members entering the profession must undergo 1500 hours, or approximately the equivalent of one year of full-time practice under the supervision of a Behaviour Analyst member of the College before being authorized to practice autonomously. There is a strong public interest rationale to have both the supervisor and supervisee under regulatory oversight during the supervised period. During this time, Supervised Practice Members will also prepare to challenge the examination of knowledge or competence with the assistance of their supervisor.</p>
<p>22.</p>	<p>Declaration of areas of competency would protect the public</p>	<p>The profession of Applied Behaviour Analysis is based on general principles and theoretical foundations of ABA which are applied to any population and are maintained as generic. The application of the principles to different groups requires additional knowledge, which comes primarily from supervised practice. Accordingly, the profession, in general, does not see the necessity to declare areas of practice or client populations in ABA as it may be considered too restrictive. Members may only provide services within the areas of Applied Behaviour Analysis in which the member has knowledge, skill, and judgement</p>
<p>Academic Class of Certificate of Registration</p>		
<p>23.</p>	<p>Academic Class should include academics teaching in degree programs at colleges as well as universities</p>	<p>Many public colleges offer degree programs in behaviour analysis at the bachelor’s level. This amendment will allow those teaching in these institutions, who no longer wish to practice ABA, to apply for an Academic Certificate of registration.</p> <p>Recommended Revision to the Registration Regulation:</p> <p>35. 1. The applicant must occupy a full-time or regular academic position on the faculty of a degree program in behaviour analysis an Ontario university or other Ontario post-secondary institution.</p>

General Regulation and Professional Misconduct Regulation		
24.	Should comply with BACB ethical standards/code; standards should align with BACB ethics code.	The College and BACB are two separate organizations with their own sets of standards and ethics codes that their members must uphold. Members of the College will be expected to maintain the standards of practice, including ethical standards, set by the College. These are expected to align closely with those published by BACB.
25.	Testimonials should be allowed as they are acceptable under the BACB code.	Health professionals in Ontario are prohibited from using testimonials in their advertising as it is generally thought to be coercive. The profession will be educated on provisions, such as this one, that differ from the BACB code.

2. COMMENTS RELATED TO THE POLICIES AND GUIDELINES TO BE DEVELOPED BY THE COLLEGE

	General Comments	Notes
26.	<p>Concerns about Transitional Route #2, not stringent enough.</p> <p>Missing details of requirements; will create risk to the public. How will the College determine that an applicant’s practice was safe and did not harm clients?</p> <p>Information about how applicants will provide evidence of competence is missing; open to interpretation and judgement if on case-by case basis.</p> <p>Concern about Behaviour Analysts who do not practice the full scope of the profession will be registered.</p>	<p>The detailed guidelines for applying under Transitional Route #2 are under development. The information received from members and stakeholders during this consultation will inform the development of these guidelines, including how evidence of competence, acceptable to the College, may be demonstrated.</p> <p>Behaviour Analysts generally practise a range of activities that are within the Scope of Practice of the profession. Those who can provide evidence of competent practise within the Scope with responsibility for independent clinical decision-making will move forward to challenge the exam. The College has posted a self-assessment tool on its website to help individuals decide if they should apply to register. Given the breadth of the Scope of Practice, it is not assumed that every individual necessarily practices the full Scope of the profession.</p>
27.	College does not address supervision of support personnel; other colleges articulate this in guidelines.	Standards of Practice, which are under development, will address supervision of others by Behaviour Analysts.

28.	Include a task list of competencies for supervised practice	The College will develop a supervisor resource manual based on the current manual for the psychology profession.
29.	Consult on the areas of practice assessed in the examination of knowledge or competence. Should lower the number of attempts allowed on the exam from four to three.	The College expects to engage the ABA profession in the development of the examination of knowledge or competence. This project is ready to begin early in the new year.
30.	Need more information about the specifics of the Quality Assurance program, continuing professional development requirements.	It is expected that the QA program for Behaviour Analysts will be modelled after the program currently in place for the psychology profession, taking into consideration attributes that are unique to the ABA profession.
31.	Criminal record check should be a Vulnerable Sector Check.	Vulnerable Sector Check is expected to be the required level of criminal record check for registration purposes.
32.	Clearly communicate who will be registered with the College. Clearly state what activities are acceptable as practice currency hours. Should be sufficiently related to the practise of the profession.	The College has developed a self-assessment tool , available on its website, to help individual decide if they should apply to the College. The College will publish guidelines outlining acceptable activities that will count towards practice hours when demonstrating currency of practice.
33.	Practice standards should include collaboration with other professionals to address scope of practice overlap.	Practice standards for the profession are currently under development including collaboration with other professions and when referral to another professional may be necessary.

3. OTHER ISSUES RAISED RELATED TO THE REGULATION OF BEHAVIOUR ANALYSTS

	General Comments	Notes
34.	Public doesn't know the difference if someone calls themselves another title (i.e., behaviour therapist).	Only members of the College may use the restricted title "Behaviour Analyst" or an abbreviation or variation of the title. Communication by the College, the government and the profession

		will be important to inform the public of the regulation of the ABA profession.
35.	<p>ABA prone to exploitive and physically harmful behaviour.</p> <p>ABA has been detrimental to the autism spectrum disorder (ASD) community; should not be allowed; consult with the adult ASD community to understand long term consequences on mental health.</p>	<p>The government engaged the Health Professions Advisory Council (HPRAC) to decide if there is a risk of harm to the public in the practice of ABA; and, if so, should it be regulated. HPRAC’s report can be found here. It concluded that to protect the public from risk of harm, the profession should be regulated. The current consultation was an important step to begin regulating the ABA profession in the public interest.</p>
36.	<p>Behaviour Analysis should be a controlled act or behaviour analysts should be authorized to perform the controlled act of psychotherapy.</p> <p>Only therapists should be eligible to be Behaviour Analysts.</p> <p>Therapies, including ACT, CBT, DBT and psychotherapy should be included in the regulations; functional analysis should be considered as a controlled act for behaviour analysts.</p> <p>Acceptance and Commitment Therapy (ACT) should be available to Behaviour Analysts</p> <p>Distinction between ACT therapy and ACT training.</p>	<p>The Psychology and Applied Behaviour Analysis Act, 2021 does not authorize Behaviour Analysts to perform any of the controlled acts, as defined under Section 27. (2) of the Regulated Health Professions Act, 1991 (RHPA).</p> <p>Psychotherapy, is a controlled act defined in the RHPA as: <i>27. (2) 14. Treating, by means of psychotherapy technique, delivered through a therapeutic relationship, an individual’s serious disorder of thought, cognition, mood, emotional regulation, perception or memory that may seriously impair the individual’s judgement, insight, behaviour, communication or social functioning.</i></p> <p>Psychotherapy is in the public domain when it does not meet these criteria.</p> <p>Health care professionals are expected to understand and know what activities are within the Scope of Practice of their profession and which activities would be considered as exceeding the Scope of Practice.</p>
37.	<p>College should distinguish between master’s and doctoral level behaviour analysts, much as is done with the psychology profession.</p>	<p>All Behaviour Analysts, regardless of the level of their post-graduate degree, will have the same Scope of Practice. The</p>

		member’s highest level of education related to their registration will be published on the College’s public register.
38.	The College should consult with other regulators, so behaviour analysts don’t encroach on the scope of practice of other professions.	All health care professionals are expected to practice within their Scope of Practice and competence. The College is always willing to collaborate with other regulators in the public interest.
39.	Explain the link between BACB and the College. How will Ontario deal with violations of the BACB ethics code?	BACB and the College are two separate entities with separate jurisdictions. Members of the College will be expected to maintain the standards of practice of the profession and will be accountable to the College. A violation of the College’s rules related to practice and ethical behaviour will be dealt with by the College. Members who also maintain BCBA or BCBA-D certification will also be accountable to BACB and their own processes. To practice as a Behaviour Analyst in Ontario, one will be required to register with the College however, BACB membership will be a voluntary decision to be made by each individual.
40.	Concerns about unregulated providers of behaviour services. College should clarify acceptable terminology for use by professionals who use behavioural techniques in their practice but are not registered with the College.	The College cannot approve alternate wording for non-members to use in their practice. The College’s jurisdiction is only over its members. Any non-member using the restricted title “Behaviour Analyst” or holding themselves out as someone who is qualified to provide applied behaviour analysis services may be found in violation of the act respecting the profession of ABA. “Holding out” would include the use, in providing ABA services, of the credential BCBA or BCBA-D by a non-member.
41.	Changes to composition of Council and College committees to accommodate new profession. How will this influence how the College deals with complaints?	The <i>Psychology and Applied Behaviour Analysis Act, 2021</i> amends the composition of Council, adding 3-5 Behaviour Analysts elected to the Council, and at least one academic member of Council on faculty of a department of an Ontario university that offers specialization in ABA. As well an additional, 3-5 public members will be added.

		The Council will propose amendments to the College’s By-laws to amend the composition of the College’s Statutory Committees to include representation from the ABA profession on each Committee.
42.	<p>Annual cost of membership with the College and liability insurance.</p> <p>Concerns about College fees in addition to BACB fees.</p> <p>Psychologists who are also registered as Behaviour Analysts having to pay two fees.</p>	The College has not yet determined the fee structure or fees to be charged to Behaviour Analysts for applications and annual membership renewal. This will be determined early in the new year. It is expected to be in line with those currently charged by the College to Psychologists and Psychological Associates.
43.	Is Organizational Behaviour Management included in the regulations?	Anyone who uses the title “Behaviour Analyst” must be registered with the College.
44.	Concern that regulation of the profession will cause additional strain on the system by adding barriers for staffing and services.	By regulating the profession, the public can have confidence in Behaviour Analyst who is accountable to a regulatory College. It would be an unfortunate consequence of regulation if this causes strain on the system.
45.	College should seek reciprocity with US states that license behaviour analysts and with BACB.	This may be considered in the future.
46.	What are the timelines around the implementation of these regulations?	A timeline is not in place for regulation of the profession to begin. The College will provide this information as soon as it is available.
47.	<p>Psychologists who work in ABA should not have to register separately to practice ABA - not a separate domain. Requirements will serve as a barrier to psychologists who wish to practise ABA</p> <p>Psychologists who also practise ABA - conflict of interest may arise if diagnose, then self-refer for treatment/intervention</p> <p>Clarification of registration for psychologists or psychological associates to register as a Behaviour Analyst; exemption from some registration requirements</p>	ABA will be regulated as a separate profession from Psychology. Accordingly, to practice as a Behaviour Analyst, individuals registered with the same College or a different College, must register with the College of Psychologists and Behaviour Analysts as a Behaviour Analyst. No exemptions are made for those holding a certificate of registration for another profession and who wish to use the title Behaviour Analyst.

		All practitioners are expected to make recommendations in the best interests of their clients.
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The College is not able to address comments related to provisions of the [Psychology and Applied Behaviour Analysis Act, 2021](#), which has been passed by the government but is not yet in force or comments unrelated to the proposed amendments or the regulation of Behaviour Analysts.

As information to Council, The following comments were received and are provided to Council for information.

General Comments
College of Psychologists of Ontario shouldn't regulate ABA, shouldn't change its name, CPO not the best fit, confusing to the public, ABA should have its own College.
More clearly define the scope of practice and its boundaries

Psychology and Applied Behaviour Analysis Act, 2021

**PROPOSED AMENDMENTS TO CURRENT ONTARIO REGULATION 74/15
REGISTRATION**

UNDER THE *PSYCHOLOGY ACT, 1991*

RELATED TO THE REGULATION OF BEHAVIOUR ANALYSTS

PROPOSED NEW SECTIONS AND WORDING ARE HIGHLIGHTED

Consolidation Period: From June 10, 2019 to the [e-Laws currency date](#).

Last Amendment: 183/19.

Legislative History: 183/19.

This is the English version of a bilingual regulation.

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GENERAL

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<u>17.</u>	Labour mobility
<u>18.</u>	Terms, conditions and limitations
	<u>CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGICAL ASSOCIATE AUTHORIZING INTERIM AUTONOMOUS PRACTICE</u>
<u>19.</u>	Certificates of registration for a psychological associate authorizing interim autonomous practice
<u>20.</u>	Labour mobility
<u>21.</u>	Terms, conditions and limitations
<u>22.</u>	Expiry
	<u>CERTIFICATES OF REGISTRATION FOR A PSYCHOLOGICAL ASSOCIATE AUTHORIZING SUPERVISED PRACTICE</u>
<u>23.</u>	Certificates of registration for a psychological associate authorizing supervised practice
<u>24.</u>	Labour mobility
<u>25.</u>	Terms, conditions and limitations
<u>26.</u>	Expiry
	<u>CERTIFICATES OF REGISTRATION FOR A BEHAVIOUR ANALYST AUTHORIZING AUTONOMOUS PRACTICE</u>
<u>27.</u>	Certificates of Registration for a behaviour analyst authorizing autonomous practice
<u>28.</u>	Labour mobility
<u>29.</u>	Terms, conditions and limitations
<u>30.</u>	Transitional
	<u>CERTIFICATES OF REGISTRATION FOR A BEHAVIOUR ANALYST AUTHORIZING SUPERVISED PRACTICE</u>
<u>31.</u>	Certificates of Registration for a behaviour analyst authorizing supervised practice.
<u>32.</u>	Labour mobility

<u>33.</u>	Terms, conditions and limitations
<u>34.</u>	Expiry
	<u>ACADEMIC CLASS OF CERTIFICATES OF REGISTRATION</u>
<u>35.</u>	Academic class of certificates of registration
<u>36.</u>	Labour mobility
<u>37.</u>	Terms, conditions and limitations
	<u>INACTIVE CLASS OF CERTIFICATES OF REGISTRATION</u>
<u>38.</u>	Inactive class of certificates of registration
<u>39.</u>	Terms, conditions and limitations
	<u>RETIRED CLASS OF CERTIFICATES OF REGISTRATION</u>
<u>40.</u>	Retired class of certificates of registration
<u>41.</u>	Terms, conditions and limitations
	<u>EXPIRY, REINSTATEMENT, ETC.</u>
<u>42.</u>	Expiry on issuance of new certificate
<u>43.</u>	Reinstatement
	<u>TRANSITION</u>
<u>44.</u>	Transition

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.

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.

SECTIONS 5-26 RELATING TO THE PROFESSION OF PSYCHOLOGY REMAIN UNCHANGED

NEW SECTIONS 27-34

CERTIFICATE OF REGISTRATION FOR A BEHAVIOUR ANALYST AUTHORIZING AUTONOMOUS PRACTICE

27. (1) Subject to subsections (2) to (5), 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 Council for that purpose, or
 - 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 Council for that purpose, or
 - 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 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 post-graduate 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 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 where the applicant who made the application 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.
 - i. The applicant must 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. The applicant must 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.
 - i. It is a non-exemptible registration requirement that an applicant referred to in subsection (3) 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; or
 - ii. It is a non-exemptible registration requirement that an applicant referred to in subsection (3) 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 Council for that purpose.
3. 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.
4. 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, is 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,

- (a) 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;
- (b) 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
- (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 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,

- (a) 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;
- (b) 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
- (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 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,

- (a) 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;
- (b) 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

- (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 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. The following apply for the first 24 months after the day this Regulation comes into force,

(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 Council for that purpose with a certification type and status approved by Council by the date this Regulation comes into force and is in good standing with that body, or

(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 (3) years prior to this Regulation coming into force and meets the following additional non-exemptible requirements:

1. The applicant must have engaged in practice in Canada within the scope of practice of applied behaviour analysis for at least 1500 hours during the ~~three~~-four-year period that immediately preceded the date that the applicant submitted their application; and
2. 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

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 subsection 27 (1) 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) 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 met all of the following requirements:

1. They must be a member holding either a certificate of registration for a behaviour analyst authorizing autonomous practice or for the first 24 months after this Regulation comes into force, 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.

RENUMBERED SECTIONS 35-44

(CURRENT SECTIONS 27-36)

Addition of Terminology to Include Applied Behaviour Analysis/Behaviour Analysts (highlighted)

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 [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 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 27 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 his or her 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 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 his or her 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 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.

Expiry on issuance of new certificate

42 A person's certificate of registration expires immediately if the Registrar issues another certificate of registration to the person.

42.1 Despite section 42., a person may hold a certificate of registration in each of the professions regulated by the College if they meet the registration requirements to practice as a psychologist or psychological associate and meet the registration requirements to practice as a behaviour analyst.

Reinstatement

43. 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.

TRANSITION**Transition**

44. (1) Every certificate of registration that was in existence immediately before April 7, 2015 is continued as the equivalent certificate of registration with the same status under this Regulation until such time as it otherwise ceases to be effective and, for greater certainty,

- (a) every certificate of registration subject to a limitation of academic status is continued as an Academic certificate of registration;
- (b) every certificate of registration subject to a limitation of inactive status is continued as an Inactive certificate of registration; and
- (c) every certificate of registration subject to a limitation of retired status is continued as a Retired certificate of registration.

(2) Where an application for a certificate of registration had been made but not finally dealt with before April 7, 2015, the application shall be dealt with in accordance with this Regulation.

45. OMITTED (REVOKES OTHER REGULATIONS).

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

ABA Consultation: Regulation Amendments

Mark Pioro <m.pioro@crpo.ca>

Thu 03-Nov-22 10:08 AM

To: College of Psychologists <cpo@cpo.on.ca>

Good morning,

CRPO is the licensing body for over 11,000 Registered Psychotherapists in Ontario. We submit this feedback to assist CPO in administering the registration of Behaviour Analysts.

1. Clear communication regarding who may register

CPO should communicate clearly which professionals will be eligible to register. The consultation page does answer “Who will be registered with the College?”. This information should be communicated prominently to stakeholders prior to the acceptance of applications. This may help prevent an influx of applications from individuals who are not eligible for registration (i.e., frontline providers applying for a registration category that is intended for those in supervisory roles).

CRPO had a similar experience where it proposed a registration category called “Registered Mental Health Therapist” or “RMHT”. The RMHT category was ultimately not created. Many individuals who might have registered as an RMHT instead applied for registration in CRPO’s other registration category, “Registered Psychotherapist” or “RP”. Many of these applicants did not meet the registration requirements for the RP category.

2. Clear policy regarding currency

The proposed regulation amendments refer to “practice in Canada within the statutory scope of practice of the profession of Applied Behaviour Analysis”. CPO should publish a policy interpreting in detail what this includes. For example, does record-keeping count? Continuing professional development? Teaching? Clarifying these issues will allow applicants to submit the best quality information in their applications.

CRPO faced a similar issue when it required completion of currency hours as part of its grandparenting registration process. Some applicants submitted currency hours that were not sufficiently related to the practice of the profession.

We hope this feedback has been helpful.

Sincerely,



Mark Pioro (he/him) | Deputy Registrar & General Counsel

Email: m.pioro@crpo.ca Web: crpo.ca

Phone: 416-479-4330, ext. 107 or 1-844-712-1364

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Applied Behaviour Analysis Consultation Regulation Amendments
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The College is seeking input from all interested parties to proposed Regulations under the, yet to be proclaimed, Psychology and Applied Behaviour Analysis Act, 2021. Once in force, this legislation will bring the profession of Applied Behaviour Analysis under the jurisdiction of the College of Psychologists and Behaviour Analysts. The purpose of the regulations is to regulate the profession of Applied Behaviour Analysis in the public interest by ensuring that individuals registered with the College are qualified to provide safe, effective and quality care to the public of Ontario.

Please review all the information provided with this [consultation](#) including:

Consultation Document

Registration Flow Charts

Transitional Route 1

Transitional Route 2

Entry Level

Amendments to O. Reg. 74/15 Registration

Explanatory Table for Amendments to O. Reg. 74/15 Registration

Amendments to

O.Reg. 801/93 Professional Misconduct and

O.Reg. 209/94 General

You may provide your feedback using this survey, or send your comments by e-mail to:

abaconsultation@cpo.on.ca

The survey will take approximately 5-7 minutes to complete. Thank you for time and interest.

1. Name (optional): **Faculty from Department of Applied Disability Studies, Brock University**

* 2. I am a:

Member of the Public

3. I am:

An individual working in the field of behaviour analysis in another capacity

4. In principle, overall, do you agree that the regulation amendments proposed by the College of Psychologists of Ontario to regulate the profession of Applied Behaviour Analysis are in the public interest?

Yes

No **X**

If no, what, in general, are your concerns?

Registration Pathways

a. **Transitional (Grandparenting) Registration Routes:** Registration using these routes is available for 24 months after the Act is proclaimed, or the regulations come into force, and is for those currently practicing the profession of Applied Behaviour Analysis. There are two routes.

Transitional Route 1: Applicants who are certified by the Behavior Analyst Certification Board (BACB) at the BCBA or BCBA-D level and who are active and in good standing.

5. Do you agree that the Transitional Route 1 registration requirements are sufficient to protect the public?

Yes

No **X**

If not, what concerns do you have about the Transitional Route 1 registration requirements? What changes would you suggest to address these concerns?

1. **BCBA and BCBA-D distinction.** We understand that there are two certificates of registration authorizing autonomous practice in psychology in Ontario, one at the doctoral level and one at the master's level. We ask for consideration of a parallel process for the practice of behaviour analysis, with one certificate at the master's level (i.e., BCBA) and one certificate at the doctoral level (i.e., BCBA-D). As we anticipate that members of the College and working group are quite familiar, the current BACB standards acknowledge behaviour analysts with a master's and doctoral designation. Although both are qualified to practice autonomously, enlisting the support of a behaviour analyst with advanced graduate training and experience may be particularly beneficial in assessing and treating complex cases. We hope the College might consider this distinction to communicate different levels of academic training, which may be important for service recipients and the public.

Transitional Route 2: Applicants who have practised the profession prior to proclamation of the Act and can provide evidence of competence to practise, but who are not certified by BACB at the BCBA or BCBA-D level.

6. Do you agree that the Transitional Route 2 registration requirements are sufficient to protect the public?

Yes

No **X**

If not, what concerns do you have about the Transitional Route 2 registration requirements? What changes would you suggest to address these concerns?

1. **Consideration to include additional quality assurance measures.** We understand the requirement to have a transitional pathway (i.e., Transition Route 2) to avoid negatively affecting behaviour analytic service availability in the province. With the limited information provided in the draft regulation, it is difficult to determine the breadth and depth of experience required of a candidate eligible for Transition Route 2. We are concerned that these practitioners may not have equivalent knowledge and skills to an applicant completing graduate-level coursework sequence featuring behaviour analytic content with prescribed Supervised Fieldwork hours requiring elements of a task list (e.g., BACB task list) be performed across their fieldwork experiences. 'Autonomous practice'

carries a heavy responsibility, and granting someone admission to the College without a minimum level of education (e.g., a master's degree) could place consumers at risk. This risk may be heightened when the consumer presents with greater behavioural complexity. In the interest of preserving capacity while balancing consumer protection during this transition period, we wonder if the College might consider other quality assurance measures. For example, in registering candidates who meet Transition Route 2 criteria, perhaps an additional expectation is that the candidate: 1) enroll in (and complete) a behaviour analytic master's program while they continue to practice. If they cannot show evidence that they completed their master's degree in the designated time frame, perhaps their registration status would lapse, and/or 2) the candidate could be required to complete a supervised fieldwork placement featuring specific elements as per BACB Task List, for example. That is, the expectation is that they would need to complete an additional 1500 supervised hours by an approved supervisor during a 'temporary' registration with the expectation that they demonstrate relevant Task List items (e.g., BACB.com) across this period. This additional 1500 hours would provide some 'oversight', compared to only requiring the proposed 1500-hours of experience over the three previous years. As the details of the expected criteria are not operationalized in the regulation, it is unclear to us what applicants' previous practice needed to entail. A concern is that the experience might be limited in scope (e.g. teaching social skills 10 hours per week for 3 years), settings, and/or client populations.

2. **Further clarity regarding 'post-graduate' terminology.** The current draft was well crafted. However, perhaps the College may consider providing further clarity around the term 'post-graduate', although it may be reasonable to ask that the College and Working Group consider replacing it with 'graduate degree'. If it is that 'post-graduate' is meant to capture those candidates who may fit Transition Route 2, then, perhaps it makes sense to keep the terminology related to this pathway but replace the term with 'graduate degree' for the sections related to Transition Route 1 and 'Ongoing Registration Requirements'. It is important to note that Community colleges offer post-graduate certificates and diploma's that are undergraduate level coursework. They are considered "post-graduate" because students must have a bachelor's degree to enroll, but they meant to be accelerated college diploma's with coursework focused in the field of study with no further breadth requirements. We feel that the minimum level of training for regulated ABA practitioners should be at the graduate level (i.e., masters or PhD; <https://www.bacb.com/>). While we imagine that the College and Working Group are aware, we considered how the BACB distinguishes between undergraduate- (BCaBAs – cannot work autonomously), and graduate-level (BCBA; BCBA-D – able to work autonomously) behaviour analysts. Ultimately, we hope the College upholds a graduate-level degree standard for registrants.
3. **Consider expanding on evidence for competence to practice ABA.** We ask that the College and Working Group consider adding further details to the statements "...provide satisfactory evidence of their competence to practice ABA. Evidence must be provided in the form and manner required by the College." To help with transparency for potential applicants, we suspect the evidence could be stated explicitly within the document, perhaps through exemplars to qualify the statement. Furthermore, the subsequent statement, "In addition, individuals wishing to be registered through Route 2 must pass an examination of knowledge or competence approved by Council for that purpose." We understand the statement in the following way: Either an approved knowledge or competence examination is required to proceed through Route 2. We appreciate the difference between knowing something and knowing how to do something. We believe there is value in both types of competence assessments to ensure skilled and competent practitioners are registered through the College to protect the public appropriately. While we agree that passing a written test is an

important way to assess an applicant's knowledge of the field, we hope the College considers additional evidence to demonstrate competence. The College might consider letters of support from practitioners in the field who would qualify through Route 1 as an example of corroborating support for competence. We hope the College might also consider other measures of ABA competence, such as a panel interview where the candidate responds to hypothetical case scenarios as a proxy for in vivo assessment and intervention. While we can appreciate that the interview panel is likely more resource-intensive, we believe that this is an important way to determine competence for Route 2 applicants. Also, given the familiarity and convenience of online meeting platforms (e.g., Zoom, BlueJeans, Teams), these options may efficiently assess applicant competence for those who pursue this grandparenting route. Another possible option in 'gauging' competence could be to require. Finally, it may also be possible to 'gauge' competence might be to require those eligible through Route 2 to successfully complete some amount "of supervised practice in ABA while holding a certificate of registration with the College authorizing supervised practice and while under the supervision of a member of the College authorized to practice ABA". The supervision timeline could be reduced but would provide some level of 'oversight' and guidance to the candidate.

4. **Increase practice hours from 1500 to 2000.** We are wondering if the College and Working Group might consider increasing the number of 'practice' hours from 1500 to 2000. Given that the 1500 hours over three years equates to roughly 10 hours per week, we feel this requirement is too low a threshold for registration. In addition, as the College knows, this would be more in line with the BACB's current requirements to meet the required fieldwork hours to become a Board-Certified Behavior Analyst (BCBA). For easy reference, one may refer to the Verified Course Sequence Handbook, section titled "Fieldwork Hour Requirements" (p. 14) and subsequently, "A Comparison of Fieldwork Types" (p. 20): https://www.bacb.com/wp-content/uploads/2022/01/BCBAHandbook_220825.pdf.

b. Entry Level (Ongoing) Registration Route: Applicants who are new to the profession, or who otherwise do not qualify through one of the transitional routes.

7. Do you agree that the entry level requirements are sufficient to protect the public?

Yes

No

If not, what concerns do you have about the entry level registration requirements? What changes would you suggest that address these concerns?

Increase supervised practice hours from 1500 to 2000. We are hopeful the College will consider increasing the number of supervised practice hours from 1500 to 2000, consistent with the BACB's current requirements to meet the required fieldwork hours to become a Board-Certified Behavior Analyst (BCBA). For ease of reference, the relevant link is provided below. That is, the link to the Verified Course Sequence Handbook, section titled "Fieldwork Hour Requirements" (p. 14) and subsequently, "A Comparison of Fieldwork Types" (p. 20): https://www.bacb.com/wp-content/uploads/2022/01/BCBAHandbook_220825.pdf. To ensure that the hours requirement is current, we recommend that the statement be revised to reflect the current standards of an established body recognized and approved by the College (e.g., BACB, ABAI).

Permit some supervision hours collected prior to graduation to count towards total supervised hours collected for registration purposes. As it is written, it seems applicants endeavouring to complete the ‘Ongoing Registration Requirements’ may not be able to include any supervised hours they accumulated while completing their degree. This is suggested by the fact that an individual cannot apply to register until they have completed their degree. If the College were to consider raising the entry requirements from 1500 hours to 2000 hours, perhaps this could include up to 500 hours collected during the degree, and the remaining hours (minimum 1500) as supervised practice during the registration period.

Professional Misconduct and General Regulation Amendments

Minor changes are being proposed to these two Regulations to ensure they encompass Behaviour Analysts and the profession of Applied Behaviour Analysis.

8. Do you agree that the proposed amendments to the Professional Misconduct and General Regulations are sufficient to protect the public?

Yes

No

If not, what concerns do you have about the proposed amendments to the Professional Misconduct and General Regulations? What changes would you suggest that address these concerns?

Additional Feedback

9. Is there anything missing?

1. **Information on timelines around approval once Act comes into effect.** It may be important to include some information on how long it will take for the College to approve an applicant once the Act comes into effect. That is, what will it mean for individuals collecting supervised practice hours by supervisors waiting to hear about their status from the College? That is, will the hours a supervisee collects while their supervisor is waiting to hear about approval count towards their supervised practice hours? We presume that this operational information might be clarified outside of the regulation in policies or process documents.
2. **Consideration for registrants to collect supervision hours from more than one supervisor.** While we recognize that it may be challenging for applicants to secure more than one supervisor, we hope that the College considers expanding supervised practice requirements to more than one supervisor. That is, a candidate may not collect all hours from a single supervisor because it could create skillset deficiencies in the supervisee (see BACB Handbook, page 21; https://www.bacb.com/wp-content/uploads/2022/01/BCBAHandbook_220825.pdf). This would be consistent with the primary and alternate supervisor required in the context of Psychology registration.

10. Please provide any additional comments.

November 17th, 2022

To Whom it May Concern,

During my tenure as a Supported Living Program Supervisor, at Partners in Parenting, I consistently worked closely with the agency's long-term Clinical Psychologist. She supported a mutual client within Equine Therapy sessions. These sessions incorporated several skill building and development opportunities in an environment that offered comfort to a client who struggles to feel at ease in most therapeutic settings. The growth in relationship building and empathy towards animals that has transferred to her interpersonal-relationships and resulted in a decrease in aggressive communication. This has been invaluable to her quality of life.

It would be detrimental to many of the individuals who are supported through Partners in Parenting to change the parameters surrounding their behaviour management. Our agency's Clinician has overseen our clients for such a large portion of their lives. She creates client-focused protocols and routines with their history and needs in mind. I strongly encourage the proposed Regulation Amendment be reconsidered, the changes that would domino from this Amendment would adversely affect the population it is trying to care for. In my opinion, this drastic change to our clients care would be irresponsible.

Regards,

A handwritten signature in black ink, appearing to read 'Kayla Dunn', with a long horizontal flourish extending to the right.

Kayla Dunn
Day Service Supervisor, Partners in Parenting
613-868-8300

Jessica Lamarche <jessicalamarche@partnersinparenting.ca>

Thu 24-Nov-22 4:55 PM

To: College of Psychologists <cpo@cpo.on.ca>

Hello,

My name is Jessica Lamarche and I have been in the Supported Living Field for over 15 years, and in that time I have seen the amazing work done by clinical psychologists, and have seen with my own eyes how continuous implementation of behavioural management strategies work. I have been with Partners in Parenting for 10 years, and have worked very closely with our psychologist, meeting bi-weekly to review client data, successes, failures and potential mental health issues/medications. Her intricate knowledge of how all of these pieces fit together has been extremely beneficial to our clients, and she loves getting to know them and really understanding them, rather than just reading about them from a computer screen. Having her leave us to complete more training hours would be a huge loss to the company, clients and parents. Our clients depend on the knowledge held by her to ensure they have consistent and successful programming measures in place. Any change in that would disrupt their successes, of which there have been many since she began working with them. It would be ideal if she could be grandfathered in!

I thank you for your time and consideration in this matter

Jessica Lamarche
Program Manager



Partners in Parenting

Supporting children, youth, and families since 1997!

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November 30, 2022

Dear Rick:

Re: OCSWSSW response to Applied Behaviour Analysis Consultation – Regulation Amendments

The Ontario College of Social Workers and Social Service Workers (the College) is pleased to provide feedback in response to the College of Psychologists of Ontario's (CPO) *Applied Behaviour Analysis Consultation: Regulation Amendments*. As you know, the College regulates the practice of over 27, 500 social workers and social service workers in Ontario.

The College has provided prior feedback about the model proposed by the Ministry of Health and the Ministry of Children, Community and Social Services for the regulation of behavioural clinicians, and we understand that a different path has been taken. While we do not have further comments on the proposed regulation amendments, we believe that it will be important for all the colleges whose registrants may apply for a Certificate of Registration as a Behaviour Analyst, to work together, with the CPO, to develop a consistent process for information sharing and collaboration between colleges in relation to a number of issues, including dual registration, overlapping scopes, interdisciplinary care and complaints and discipline processes.

We commend the College of Psychologists of Ontario for all its work preparing for the proclamation of the *Psychology and Applied Behaviour Analysis Act, 2021*, and look forward to working together to serve the public interest.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lise Betteridge'.

Lise Betteridge, MSW, RSW
Registrar and CEO



FAIRNESS COMMISSIONER

COMMISSAIRE À L'ÉQUITÉ

OFFICE OF THE FAIRNESS COMMISSIONER

Suite 300, 180 Dundas St W., Toronto ON M7A 2S6

November 30, 2022

To: The College of Psychologists of Ontario
abaconsultation@cpo.on.ca

Re: The Regulation of Applied Behaviour Analysts in Ontario

Thank you for the opportunity to provide comments on the “Applied Behaviour Analysis Consultation: Regulation Amendments”. In this consultation document, the College of Psychologists of Ontario (CPO or college) recommends the enactment of a new regulation under the *Psychology Act, 1991* to recognize Applied Behaviour Analysts (ABAs) as a new regulated profession.

We would like to congratulate the college for integrating the ABAs within its existing regulatory mandate and are offering comments on two discrete components of the proposed registration process for ABAs.

Our comments arise out of the provisions in Schedule 2 of the *Regulated Health Professions Act* (RHPA) that imposes a legal duty on a regulated health 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” (section 2.1) (emphasis added) and

“provide registration practices that are transparent, objective, impartial and fair” (section 22.2).

In making these comments, we appreciate that the college needs to ensure that the ABAs whom it licenses are qualified to perform the important work associated with the profession. We also understand, however, that there is a material shortage of ABAs in the province to meet the needs of vulnerable clients. This places a premium on assessment and registration processes that are agile and do not place any unnecessary barriers in the path of qualified applicants.

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With this context in mind, we wish to focus on two topics addressed in the proposed regulation. These are:

- The requirement that each applicant to the profession be obliged to complete a minimum 1,500 hours of supervised practice in ABA while holding a certificate of registration with the college authorizing supervised practice and while under the supervision of a member of the profession authorized to practice ABA.
- The approach that the college's registration committee (with the help of a third-party service provider) will employ to assess an applicant's academic credentials obtained from an institution, other than a Canadian university.

Post Graduate Supervised Practice

Given the recent passage of amendments to the RHPA, along with Ontario Regulation 508/22 made under the legislation, the college will need to satisfy itself that the requirement for 1,500 hours of supervised practice does not constitute a Canadian experience requirement (CER) for internationally trained applicants, which is otherwise prohibited under the legislation.

If the college's proposal constitutes an exception to the prohibition against maintaining a CER, there are nonetheless strong public policy grounds to limit the extent of these supervised practice provisions, particularly when there is a shortage in the number of qualified health practitioners available to service the public's needs.

Although applicants will have three years to meet the 1,500 hours of supervised practice, a provision of this type is associated with a variety of potentially material registration barriers, including:

- The challenge in finding a qualified supervisor where practitioners are otherwise busy.
- The need to pay thousands of dollars for such supervision.
- The practical challenge of completing 1,500 hours of supervised practice within three years while not receiving remuneration as a member of the profession.

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We encourage the college to evaluate the empirical basis for the 1,500-hour figure to ensure it is not a legacy barrier that may exclude otherwise qualified practitioners from the profession. If the college decides to retain this requirement, the OFC recommends that it be treated as a ceiling figure and that the college retain the discretion to reduce the length of this obligation based on the advice of the supervisor or otherwise where the circumstances so warrant.

In the context of internationally trained professionals (ITPs), we would also recommend that the college take into account the practical experience that applicants have obtained outside Canada and to investigate alternative pathways that could substitute for, or reduce the length of, the supervised practice requirement. One option, which other regulators have adopted, would be for the CPO to migrate to an online competency-based skills assessment for ITPs to complete before they arrive in Canada.

Finally, we would encourage the college to carefully reflect on the recent approach adopted by the College of Nurses of Ontario (CNO) which has enabled this health college to potentially register close to 5,000 internationally trained nurses in its temporary class, subject to completing any outstanding requirements. These nurses will remain in this class while completing educational and examination requirements needed for general class registration.

Assessment of Academic Credentials

We believe that it is important that the assessment of academic credentials to be properly structured to give applicants the assurance that the process is conducted independently and without bias. It is particularly important that the designated assessors be properly trained and possess an appropriate level of cultural competency to ensure that candidates from different backgrounds are given a fair chance at success.

As the CPO plans to make use of a third-party service provider for this purpose, the OFC also invites the college to review pages 16-21 of our recently published [Legal Obligations and Best Practices Guide - Health Regulatory Colleges](#) which identifies the contractual provisions that a regulator should use to ensure that its third-party service provider is accountable for meeting its legal obligations.

It is important that the college can credibly monitor and evaluate the performance of a third-party that is assessing the competencies of an applicant. The CPO should

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also be transparent about the criteria that it will employ to confirm, or decide not to follow, a third party's recommendations.

To conclude, we wish to thank the college for allowing us to contribute to this consultation process. We would be pleased to elaborate on any of the points that we have raised in this document.

Kindest regards,

(Original signed by)

Irwin Glasberg
Fairness Commissioner



Speech-Language & Audiology Canada
Orthophonie et Audiologie Canada
Communicating care | La communication à cœur

Ontario – OSLA / AOOA

December 2, 2022

ABA Regulation Consultation

Speech-Language & Audiology Canada (SAC) supports the College of Psychologists of Ontario (CPO) intention and efforts towards the regulation of Applied Behaviour Analysis in an effort to protect the public. We thank you for the opportunity to participate in this endeavour via our response.

Question #1: Name: Speech-Language & Audiology Canada

Questions #2 & 3: I am:

Speech-Language & Audiology Canada is the professional association representing the unified national voice of speech-language pathology and audiology in Canada. It is from this context that we submit our response to the consultation.

We have responded to the survey questions below and have also provided some additional feedback relative to questions not asked in this survey, but of importance to the safe and effective practice of Applied Behavioural Analysis (ABA) in Ontario.

Question #4:

In principle, overall, do you agree that the regulation amendments proposed by the College of Psychologists of Ontario to regulate the profession of Applied Behaviour Analysis are in the public interest?

A: On the surface the regulation amendments proposed are in the public interest. The concerns could be categorized as issues beneath the surface and not addressed/ discussed in these regulations including:

- the missing details of the regulations as presented such as the protection afforded by the Board Certified Behavior Analyst (BCBA) certification
- the absence of content more relevant to public protection such as the most relevant practice standards (e.g. interprofessional collaboration) within the defined scope of practice

These issues are discussed further within the responses to the questions posed.

Question #5:

Do you agree that the Transitional Route 1 registration requirements are sufficient to protect the public? If no, what concerns do you have and what changes would you suggest to address those concerns?

A: Unsure. SAC recognizes the necessity of providing a grandfathering option to ensure continuity of care and it also recognizes the establishment and the reputation of the Behavior Analyst Certification Board (BACB) requirements. For example, in our research we note that supervision skills are included in the training of a BCBA (Health Professions Regulatory Advisory Council [HPRAC], 2018, p.16) which is important given the impact of unregulated providers to the quality of care.

Also, we applaud the addition of a requirement to complete a jurisprudence and ethics module to evaluate knowledge of privacy and consent laws in Ontario given that the BACB is U.S. based, and that client or caregiver consent is among the areas of potential risk to the public.

For these reasons, we support the notion of grandfathering BCBA's.

The concern, however, with the proposed regulations as presented is that the grandparenting routes require the assumption that the BCBA requirements (a U.S. regulating body) are sufficient and comparable to other Ontario based regulation requirements and practice standards. There is no information provided in the consultation to validate such an assumption. Lack of knowledge of the BCBA's requirements could lead to the problem of "equating certification with competency" (HPRAC, 2018, p. 6). And while the BACB has established credibility by offering "legally and psychometrically validated professional examinations", it "focuses on minimum rather than optimum educational standards", and is "not adequate to protect clients or to prohibit abuses" (HPRAC, 2018, p. 69). These issues, together with the statement that the "BACB lacks the resources.... to enforce compliance of its members" (HPRAC, 2018, p. 8), result in reduced confidence in the BCBA as a reliable standard for grandfathering as well as for evaluating out of province practitioners. As such, while we support the notion of the grandfathering of BCBA's, we recommend that some demonstration of the validity of the credential to Ontario based practice for public protection is warranted.

One idea to demonstrate the validity of the credential for Ontario purposes would be to identify how the BACB requirements align (or do not) with Ontario

regulation requirements. A second idea is to have a 'test group' complete the knowledge or competence examination as a barometer to evaluate whether BCBA's meet the requirements.

Question #6:

Do you agree that the Transitional Route 2 registration requirements are sufficient to protect the public?

A: Unsure. Some issues raised by the Health Professions Regulatory Advisory Council (HPRAC) are not addressed at this level of regulation, and would be addressed via the details of the practice standards. Given that HPRAC reported that "ABA therapy poses significant and inherent risk of harm across many client populations", that the risk of harm ranges "from moderate to extreme", and that an important factor in the risk of harm is the "quality of the ABA procedures" (HPRAC, 2018, Executive Summary: Consultation Process and Findings), some additional detail, in this consultation, on the most relevant practice standards would help to assess if public protection will be achieved. Specifically, HPRAC recommended that, "To minimize risk of harm to the public, clinical supervisors of individuals who deliver ABA interventions should meet standards which are clearly defined under regulation, such as having the necessary knowledge, skill and judgement to meet practice requirements..." (HPRAC, 2018, p. 8).

In this case, the examination of knowledge or competence is the gateway to public protection, but without insight into the curriculum and practice standards of Behaviour Analysts it is unclear whether or not the quality concerns raised by HPRAC (HPRAC, 2018, p. 59) will be addressed. While it is not practical to include all practice standards, issues that have been raised repeatedly, in the quality of delivery of ABA interventions, should be addressed. For example, practice standards and competencies should include standards for clinical supervision (HPRAC, 2018, p. 74), as well as an analysis of risk of harm from behavioural therapy (for those clients ill-suited to this therapy modality) including when to refer to a more appropriate professional. (More on this in Question #8).

As the examination of knowledge or competence is currently in development we recommend that there be consultation on areas of practice that are included in the exam.

Question #7:

Do you agree that the entry level registration route is sufficient to protect the public?

A: Unsure. We agree with the notion of a registration authorizing supervised practice with the subsequent requirements for 1500 hours of supervised practice together with an ethics and jurisprudence module and an examination of knowledge and competence. We are also satisfied that the educational requirements for registration include successful completion of a post graduate degree from a Canadian University or accredited program by a body approved by Council. We do note, however, in the College of Psychologist's consultation documents (2022, p.18) that the course sequence is verified by the Association for Behavior Analysis International (ABAI), but not accredited by them.

A protected title should require elements of a standardized curriculum to facilitate the standardized qualifications desired. (HPRAC, 2018, p. 37). Here again the issue of insight into the curriculum, and associated practice standards, of Behaviour Analysts is relevant to understand whether or not the quality of intervention concerns raised by HPRAC will be addressed. For example, because Behaviour Analysts will be responsible for the work of assistants or technicians, we recommend standard coursework in supervision, and an associated standard of practice developed. Such standards would help to mitigate the challenge for the supervisor to understand the competence of their assistant or technician given the range of education and training options for behavioural services for those who will be not be regulated. Finally, in addition, in an effort to protect supervisory capacity, we support the notion in clause 31.(3) that Behaviour Analysts who meet the requirements for registration can provide supervision with prior consent of the registration committee. However, we recommend a time limit to such provisions to motivate registration completion.

We also support HPRAC's recommendation to launch a public awareness campaign to advise clients and caregivers of what to expect from an ABA intervention (HPRAC, 2018, Executive Summary: Observations section). We recommend including in this public awareness campaign how ABA intersects with alternate professions.

Question #8:

Do you agree that the proposed amendments to the Professional Misconduct and General Regulations are sufficient to protect the public? If no, what concerns do you have and what changes would you suggest to address those concerns?

A: Professional Misconduct: While the requirements to practice within scope of practice and scope of competence are valid and necessary, an additional consideration is evaluation of the competence of others on the team. Section 3(1) paragraph 9 of the Health Professions Procedural Code within Schedule 2 of the Regulated Health Professions Act, 1991 (RHPA) sets out the objective “to promote inter-professional collaboration with other health profession colleges”. “Due to the universal nature of the science, behavior analysts’ scopes of practice overlap with not just one or two other professions, but many” (Kirby, Spencer, Spiker, 2022, p.4). For example, “SLPs and behavior analysts will find that they are often targeting skills within the same developmental domains, even using some of the same strategies, but may be viewing the needs through different lenses” (Donaldson & Stahmer, 2014, p.2). The complexity presented, due to the breadth of overlap, requires a regulated commitment to interprofessional collaboration to ensure client-centred care. Currently this is provided within speech-language pathology and audiology via a general practice standard regarding collaboration https://caslpo.com/sites/default/uploads/files/GS_EN_Collaboration.pdf and we would recommend a similar practice standard for Behaviour Analysts.

In addition to a standard for interprofessional collaboration, the extent of overlap also calls for consideration of best available evidence. For example, ABA interventions often target communication. (Communication is actually listed as one of the functional skills identified in the first question in the FAQ section of the consultation documents.) While SAC recognizes there can be benefits from ABA treatment in communication, it is the focus of the profession of speech-language pathology. Indeed, the RHPA and the associated Audiology and Speech-Language Pathology Act, 1991 are clear that:

“Representations of qualification, etc.

(2) No person other than a member shall hold himself or herself out as a person who is qualified to practice in Ontario as an audiologist or a speech-language pathologist or in a specialty of audiology or speech-language pathology. 1991, c. 19, s. 8 (2).

In addition, a review of qualifications for credentials from accredited S-LP programs demonstrates significantly more coursework and practice hours in the areas of speech and language for an S-LP ([Assessing and Certifying Clinical Competency: Foundations of Clinical Practice for Audiology and Speech-Language Pathology \(2004\)](#) -required coursework hours indicated [here](#) - and a [minimum 350 clinical practice hours](#) via clinical practicums specific to language) than for ABAs <https://accreditation.abainternational.org/apply/accreditation-standards.aspx>

As such, it would be important in the development of practice standards to recognize scope of practice overlap to ensure that the *best available evidence* is utilized for the benefit of the client. According to Slocum et al, “Other disciplines such as occupational therapy and speech-language pathology have their own evidence. Their evidence is included in the concept of *best available evidence* and deserves equal consideration with respect to quality, quantity, and relevance” (as cited in Kirby, Spencer, Spiker, 2022, p. 9).

Similarly, scope of practice and standards should refer to situations where ABA therapy is not suited to the client and therefore represents a risk of harm. In these cases where an alternative therapy is indicated there should be a referral practice to more appropriate professionals.

General Regulations: The General Regulations require continuing education and professional development. Given the vast overlap of ABA with other professions, and the requirement for multiple disciplines to be involved in interventions in, for example, people with Autism, we recommend that continuing education has a requirement that it includes Interprofessional Education (IPE).

“The primary purpose of IPE is to promote effective collaboration skills during formative stages of professionals’ education. IPE is largely missing in behavior analytic training programs” (Kirby, Spencer, Spiker, 2022, p.7).

According to Gilbert et al the “World Health Organization (WHO) has been creating and disseminating information about interprofessional collaboration for many years” (as cited in Kirby, Spencer, Spiker, 2022, p. 5). “Other health professions (e.g., nursing, public health, occupational therapy, speech-language pathology and audiology, and social work) quickly adopted their framework and competencies. As many behavior analysts practice within the health arena, it is prudent to acknowledge the guidance provided by the WHO and to build upon

their well-established foundation” (Kirby, Spencer, Spiker, 2022, p. 5) to demonstrate competencies in four key areas:

(a) Teams and Teamwork, (b) Roles and Responsibilities, (c) Values and Ethics, and (d) Communication.

Question #9:

Is there anything missing?

A: Yes. While the consultation documents indicate that other professions use behavioural techniques it is not clear to what extent these professions will be able to communicate their provision of those techniques to the public. It is clear that these professionals (e.g. speech-language pathologists and occupational therapists) will not be able to use the Behaviour Analyst title without registering, nor will they be able to advertise any relevant certification. But how will they be able to communicate with clients that they are using techniques also used by Behaviour Analysts? This issue is analogous to the current situation whereby those practicing Behaviour Analysis are providing interventions in the area of Communication- the area of expertise of speech-language pathologists within the RHPA.

We wonder whether the distinction that seems to have been made in calling the **profession** “Applied Behaviour Analysis” and the **professionals** “Behaviour Analysts” is useful in clarifying this issue. In other words, speech-language pathologists would be able to communicate that they use Applied Behaviour Analysis techniques and perhaps communicate relevant coursework, without calling themselves Behaviour Analysts. Please confirm.

Question #10:

Please provide any additional comments.

We appreciate the desire to have a fair and objective process for assessing applicants to register as Behaviour Analysts through a transitional route.

Per the College of Psychologists consultation documents, “currently there are no other provinces regulating the profession of Applied Behaviour Analysis” (p. 29). That being the case, how does section 27 (3) of the regulation apply to applicants outside of Ontario but within Canada who can be given exemptions based on consideration that they have equivalent registration requirements? Is this just a way to allow entry and registration of U.S. based BCBA’s?

References

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The Regional
Municipality
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Social Services
Department

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Lisa McIntosh, RECE
Director

December 2, 2022

College of Psychologists of Ontario

Re: Applied Behaviour Analysis Consultation Regulation Amendments

Dear College of Psychologist of Ontario,

We appreciate the opportunity to provide input and seek clarification on the proposed regulation amendments for Applied Behaviour Analysis Consultation.

We have reviewed the proposed Regulations under the, yet to be proclaimed, Psychology and Applied Behaviour Analysis Act 2021, and supporting documentation.

We are in agreement that having a college in place for persons who are qualified to clinically practice and use the title of Behaviour Analyst in Ontario, is in the best interest of the public.

Some of the language in the regulation, supporting documentation and routes for registration leave open to interpretation who is required to register with the college. Clarification on this language would be beneficial prior to the Act moving forward.

- “hold themselves out as a person who is qualified to practise in Ontario as a Behaviour Analyst or in a speciality of Applied Behaviour Analysis.”
- “communicate in any way that could be considered as holding oneself out as a person who is qualified to practice as a Behaviour Analyst”
- “hold responsibility for making clinical decisions”

We currently employ Behaviour Consultants with varying educational backgrounds (Register Early Childhood Educators, Social Worker, BCBA, Child and Youth Worker) who work with child care professionals and families using best practices in behaviour supports including the foundations of Applied Behaviour Analysis. In their work they utilize various assessments, observations, measurements, interventions, and interpretation of results. The behaviour goals for a child are created in conjunction with their caregiver.

Based on the language below, we are led to believe that the Behaviour Consultants are not required to be regulated as long as they do not use the title of Behaviour Analyst and state that they are qualified to practice as a Behaviour Analyst.

“The activities included in the scope of practice of Applied Behaviour Analysis are not controlled acts within the definition in the *Regulated Health Professions Act, 1991*, and, therefore are in the public domain. Only those registered with the College, however, will be allowed to use the title “Behaviour Analyst”. As well, only members of the College will be permitted to refer to any earned certification they may have (i.e., BCBA or BCBA-D) that would lead the public to believe that they are a qualified Behaviour Analyst in Ontario. Unauthorized use of the title and/or holding oneself out as a person who is qualified to practice as a Behaviour Analyst, would be violation of the *Psychology and Applied Behaviour Analysis Act, 2021* (the Act).”

As an employer of employees who have varying educational backgrounds who provide behavioural support services receiving funding from the Ministry of Education, the Ministry of Children, Community and Social Services and community partners, we wish to stress again the importance of the College to clearly define the requirements of employees to register as members with the College of Psychologists and Behaviour Analysts vs those who are “encouraged” to register based on the Transitional Routes.

We would appreciate the opportunity for ongoing community consultation regarding the development of the Quality Assurance Program for Behaviour Analysts as it will provide further details of the requirements set out by the College for registered Behaviour Analysts.

Thank you again for the chance to provide feedback on the proposed regulation amendments.

We would be happy to engage in further discussion. We can be reached at lisa.McIntosh@durham.ca or melissa.beaucaire@durham.ca

Take care,

Lisa McIntosh, RECE, M. ED
Director
Children’s Services Division
Regional Municipality of
Durham

Melissa Beaucaire
Manager
Children’s Services Division
Regional Municipality of
Durham

Psychology and Applied Behaviour Analysis Act, ~~1991~~2021
Loi de 2021 sur la psychologie et l'analyse comportementale appliquée ~~Loi de 1991 sur les~~
psychologues

ONTARIO REGULATION 801/93
PROFESSIONAL MISCONDUCT

Consolidation Period: From December 31, 1993 to the [e-Laws currency date](#).

No amendments.

This Regulation is made in English only.

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:

THE PRACTICE OF THE PROFESSION AND THE CARE OF, AND RELATIONSHIP WITH, CLIENTS

1. Contravening a term, condition or limitation imposed on the member's certificate of registration.
2. Failing to maintain the standards of the profession.
3. Doing anything to a client for the purpose of prevention, assessment, diagnosis, intervention or other purpose in a situation in which a consent is required by law, without such a consent.
4. Delegating a controlled act in contravention of the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
5. Failing to supervise adequately a person who is under the professional responsibility of the member and who is providing a psychological [or applied behaviour analysis](#) service.
6. Abusing a client.
7. Practising the profession while under the influence of any substance, or while suffering from illness or other dysfunction which the member knows or ought to know impairs the member's ability to practise.
8. Discontinuing professional services that are needed unless,
 - i. the client requests the discontinuation,
 - ii. the client withdraws from the service,
 - iii. reasonable efforts are made to arrange alternative services,
 - iv. the client is given a reasonable opportunity to arrange alternative services, or
 - v. continuing to provide the services would place the member at serious personal risk.
9. Providing a service that the member knows or ought to know is not likely to benefit the client.
10. Practising the profession while the member is in a conflict of interest.
11. Giving information about a client to a person other than the client or ~~his or her~~[their](#) authorized representative except with the consent of the client or ~~his or her~~[their](#) authorized representative or as required or allowed by law.
12. Breaching a term of an agreement with a client relating to,
 - i. the fees for professional services, or
 - ii. professional services for the client, except where, in the judgement of the member, the breach is trivial or was necessitated by exceptional circumstances.
13. Failing to provide a truthful, understandable and appropriate explanation of the nature of an assessment, intervention, or other service following a client's request for an explanation.

REPRESENTATIONS ABOUT MEMBERS AND THEIR QUALIFICATIONS

14. Inappropriately using a term, title or designation in respect of the member's practice.
15. Inappropriately using a term, title or designation indicating a specialization in the profession.

16. Failing to identify oneself as a psychologist or psychological associate [or behaviour analyst](#) to a client or a member's employer when providing psychological [or applied behaviour analysis](#) services.
17. Failing to advise the College promptly of a change in the name used by the member in providing or offering to provide psychological [or applied behaviour analysis](#) services.
18. Permitting, counselling, or assisting any person who is not a member to represent himself or herself as a member of the College.

RECORD KEEPING AND REPORTS

19. Failing to keep records as required by the regulations.
20. Making a record, or issuing or signing a certificate, report, or similar document that the member knows or ought to know is false, misleading or otherwise improper.
21. Failing, without reasonable cause, to provide a report or certificate relating to a service performed by the member, within a reasonable time, to the client or ~~his or her~~[their](#) authorized representative after a client or ~~his or her~~[their](#) authorized representative has requested such a report or certificate.

BUSINESS PRACTICES

22. Failing to inform the client, before or at the commencement of a service of the fees and charges to be levied for the service, and for late cancellations or missed appointments.
23. Submitting an account or charge for services that the member knows [or ought to know](#) is false or misleading.
24. Charging a fee that is excessive in relation to the service performed.
25. Charging a fee for a service that exceeds the fee set out in the schedule of fees currently published for the profession without informing the client, before or at the commencement of the service, of the additional amount that will be charged.
26. Receiving or conferring a rebate, fee or other benefit by reason of the referral of a client from or to another person.
27. Charging a fee for an undertaking to provide an on-call service to a client unless the client is an organization.
28. Offering or giving a reduction for prompt payment of an account.
29. Failing to provide an itemized account for professional services within a reasonable time, if requested to do so by the client or the person or agency who is to pay, in whole or in part, for the services.
30. Selling any debt owed to the member for professional services. This does not include the use of credit cards to pay for professional services.

MISCELLANEOUS MATTERS

31. Contravening the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts.
 32. Contravening a federal, provincial or territorial law, or a municipal by-law, if
 - i. the purpose of the law, or by-law is to protect public health, or
 - ii. the contravention is relevant to the member's suitability to practise.
 33. Influencing a client to change ~~his or her~~[their](#) will or other testamentary instrument.
 34. Engaging in conduct or performing an act, in the course of practising the profession [of psychology or applied behaviour analysis or relevant to the practice of psychology or applied behaviour analysis](#), that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. O. Reg. 801/93, s. 1.
2. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 801/93, s. 2.

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Psychology and Applied Behaviour Analysis Act, ~~1991~~2021
Loi de 2021 sur la psychologie et l'analyse comportementale appliquée ~~Loi de 1991 psychologues~~

ONTARIO REGULATION 209/94

GENERAL

Consolidation Period: From April 7, 2015 to the [e-Laws currency date](#).

Last amendment: 73/15.

Legislative History: 222/95, 534/98, 535/99, 73/15.

This Regulation is made in English only.

PARTS I, II REVOKED: O. Reg. 535/99, s. 1.

**PART III
QUALITY ASSURANCE**

GENERAL

6. In this Part,

“assessor” means an assessor appointed under section 81 of the Health Professions Procedural Code;

“Committee” means the Quality Assurance Committee and includes a panel of the Committee appointed under subsection 7 (2);

“program” means the quality assurance program required by section 80 of the Health Professions Procedural Code;

“stratified random sampling” means a sampling where groups are,

- (a) removed from the pool of members to be sampled, or
- (b) weighted to increase or decrease the likelihood of their being selected. O. Reg. 73/15, s. 1.

7. (1) The program shall include the following components:

- 1. Self-assessment.
- 2. Peer and practice assessment.
- 3. Continuing education and professional development designed to,
 - i. promote continuing competence and continuing quality improvement among members,
 - ii. address changes in practice environments, and
 - iii. incorporate standards of practice, advances in technology, changes made in entry to practice competencies and other relevant issues in the discretion of the Council.
- 4. Mechanisms for the College to monitor members’ participation in, and compliance with, the program. O. Reg. 73/15, s. 1.

(2) The Chair of the Committee may appoint a panel of the Committee composed of three persons, at least one of whom shall be a member of the Council appointed by the Lieutenant Governor in Council. O. Reg. 73/15, s. 1.

(3) The Committee shall administer the program. O. Reg. 73/15, s. 1.

SELF-ASSESSMENT

8. (1) The purposes of self-assessment are to assist members,

- (a) to identify the extent to which a member’s practice meets current standards;
- (b) to identify opportunities to improve a member’s knowledge, skill and judgment; and
- (c) to plan a member’s continuing education and professional development. O. Reg. 73/15, s. 1.

(2) Every member shall participate in self-assessment in the manner approved by the Committee and fulfil any reporting requirements as directed by the Committee. O. Reg. 73/15, s. 1.

(3) Every member shall retain records of ~~his or her~~their participation in self-assessment, in the form and manner required by the Committee, for a period of at least five years. O. Reg. 73/15, s. 1.

(4) At the request of the Committee, a member shall submit the records referred to in subsection (3) to the College within the time period specified in the request or, where no time period is specified, within 30 days after the day the member receives the request. O. Reg. 73/15, s. 1.

(5) This section does not apply to a member who holds a Retired certificate of registration. O. Reg. 73/15, s. 1.

PEER AND PRACTICE ASSESSMENT

9. (1) Each year the Committee shall select members to undergo a peer and practice assessment to assess the members' knowledge, skill and judgment. O. Reg. 73/15, s. 1.

(2) A member shall undergo a peer and practice assessment if,

(a) the member's name is selected randomly from the entire membership;

(b) the member's name is selected by stratified random sampling; or

(c) the member has failed to participate in self-assessment. O. Reg. 73/15, s. 1.

(3) An assessor or assessors shall evaluate the member's knowledge, skill and judgment by way of a peer and practice assessment, prepare a written report that may include recommendations and provide the report to the Committee and the member, along with a notice of the member's right to make written submissions to the Committee. O. Reg. 73/15, s. 1.

(4) The member may make written submissions to the Committee within 14 days from the date that he or she received the report. O. Reg. 73/15, s. 1.

(5) If, after considering the report and the member's submissions, if any, and giving the member an opportunity to confer with the Committee, the Committee may,

(a) direct that no further action be taken;

(b) take any action listed in subsection 80.2 (1) of the Health Professions Procedural Code if the Committee is of the opinion that the member's knowledge, skill or judgment is unsatisfactory;

(c) grant the member a specified period of time to address the recommendations in the report; or

(d) direct that the member undergo a second peer and practice assessment. O. Reg. 73/15, s. 1.

(6) If the Committee acts under clause (5) (c) or (d), subsections (3) and (4) and clauses (5) (a) and (b) apply, with any necessary modifications. O. Reg. 73/15, s. 1.

(7) For greater certainty, the Committee shall not require a member to undergo a further peer and practice assessment under clause (5) (d) after the second assessment. O. Reg. 73/15, s. 1.

(8) This section does not apply to a member who holds a Retired or Inactive certificate of registration. O. Reg. 73/15, s. 1.

CONTINUING EDUCATION AND PROFESSIONAL DEVELOPMENT

10. (1) Every member shall participate in continuing education and professional development activities in the manner approved by the Committee for the purpose of maintaining and enhancing the member's knowledge, skill and judgment. O. Reg. 73/15, s. 1.

(2) The College shall, in a timely manner, distribute information to the members about the requirements for continuing education and professional development activities approved by the Committee. O. Reg. 73/15, s. 1.

(3) A member shall retain the records of ~~his or her~~their participation in continuing education and professional development activities for a period of at least five years. O. Reg. 73/15, s. 1.

(4) At the request of the Committee, a member shall attest to the completion of their continuing education and professional development activities in the form and manner required by the Committee and provide the Committee with ~~his or her~~their records of the activities undertaken in the form and manner requested by the Committee. O. Reg. 73/15, s. 1.

(5) This section does not apply to a member who holds a Retired certificate of registration. O. Reg. 73/15, s. 1.

11.-17. REVOKED: O. Reg. 73/15, s. 1.

PART IV ADVERTISING

18. (1) An advertisement with respect to a member's practice must not contain,

(a) anything that is false or misleading;

(b) claims of uniqueness or special advantage that are not supportable by existing scientific evidence;

(c) any claim, whether express or implied, that the member is a specialist;

- (d) an endorsement by an organization other than a professional psychological or applied behaviour analysis organization or a professional body of psychologists, of psychological associates or of both or of behaviour analysts that grants professional credentials to psychologists, psychological associates or to both or to behaviour analysts;
 - (e) a testimonial by a client or former client or by a friend or relative of a client or former client;
 - (f) a reference to a particular brand of equipment used to provide professional services if the reference implies that the member recommends the use of that brand of equipment; or
 - (g) anything that discredits the professions of psychology or applied behaviour analysis. O. Reg. 534/98, s. 1.
- (2) Clause (1) (e) does not apply with respect to an advertisement that is intended for organizations or businesses or with respect to testimonials made by an organization or a business. O. Reg. 534/98, s. 1.
- (3) An advertisement must be readily comprehensible to the persons to whom it is directed. O. Reg. 534/98, s. 1.
- 19.** (1) The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code:
1. Advertising or permitting advertising with respect to the member's practice in contravention of section 18.
 2. Contacting or communicating with or causing or allowing any person to contact or communicate with, potential clients, either in person, in writing or by ~~telephone~~any other medium, in an attempt to solicit business, unless the person contacted is a representative or agent of the potential client and the potential client is not an individual or a family.
 3. Appearing in, or permitting the use of the member's name in, an advertisement, other than an advertisement of the member's own practice, that implies or could be reasonably interpreted to imply that the professional expertise of the member is relevant to the subject- matter of the advertisement.
 4. Permitting, counselling or assisting persons who are not members of the College to promote or advertise themselves as psychologists, ~~or~~ psychological associates or behaviour analysts. O. Reg. 534/98, s. 1.
- (2) Paragraph 3 of subsection (1) does not apply to,
- (a) an advertisement for a non-profit organization for which the member receives no consideration for ~~his or her~~their appearance or for the use of ~~his or her~~their name;
 - (b) an advertisement of a book or other publication of which the member is the author or editor or one of the authors or editors; or
 - (c) an advertisement of a book or other publication if the appearance or use of the member's name is in relation to a review by the member of the book or publication. O. Reg. 534/98, s. 1.

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BRIEFING NOTE

2022.04.03B

DECEMBER 2022 COUNCIL MEETING

EXAMINATION FOR PROFESSIONAL PRACTICE IN PSYCHOLOGY UPDATE

STRATEGIC DIRECTION REFLECTION

Enforcing standards fairly and effectively through developing, establishing and maintaining standards of qualifications for individuals seeking registration; Collaborating in shaping the regulatory environment.

FOR INFORMATION

There is no action required at this time.

The following information is with regard to the Examination for Professional Practice in Psychology (EPPP) and the recent decision by the Association of State and Provincial Psychology Boards (ASPPB) to combine the current EPPP Part 1 (Knowledge) and EPPP Part 2 (Skills) into one examination.

ADOPTION OF THE EPPP AS ONE EXAMINATION

At the recent annual meeting of ASPPB, the Board of Directors announced their decision that, effective January 1, 2026, the EPPP Part 1 (Knowledge) and EPPP Part 2 (Skills) will be combined into one examination. The attached letter entitled *EPPP Announcement October 2022*, provides information on the rationale for the use of the EPPP-2 and the efforts made by ASPPB to inform member organizations of the status and need for the exam. The letter also announces that:

... during its October 2022 meeting, the Board unanimously passed the following motion:

Effective no later than January 1, 2026, the EPPP is one examination with two parts, EPPP (Part 1 – Knowledge) and EPPP (Part 2 – Skills).

This means the EPPP will only be offered as a two-part examination effective January 1, 2026.

The letter also references *a factual overview of the EPPP processes related to the main concerns that have been reported to ASPPB*. This is provided in attachment 2.

NEXT STEPS

At this time there are no immediate steps to be taken however, this decision has significant implications for the College's registration process. It will be necessary for the College to undertake a full review of the EPPP to determine whether to implement the use of the combined examination as of January 1, 2026.

ATTACHMENTS

1. *EPPP Announcement October 28, 2022*
2. *An Update on the EPPP from ASPPB: A Factual Overview*

CONTACT FOR QUESTIONS

Dr. Rick Morris, Registrar & Executive Director



ASPPB

Association of State and
Provincial Psychology Boards

Supporting member jurisdictions in fulfilling their responsibility of public protection

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Jacqueline B. Horn, PhD

Director of Professional Affairs

Alex Siegel, JD, PhD

Business Director

Lisa M. Fagan, MBA

October 28, 2022

Dear ASPPB Member Boards:

The ASPPB Board of Directors (“Board”) would like to update member jurisdictions on the status of the EPPP. As you know, the EPPP was updated to include two parts (knowledge and skills) as a comprehensive examination that allows jurisdictions to more completely measure competency of candidates for licensure. In 2018, the Board made the decision to allow jurisdictions to use the EPPP (Part 2- Skills) optionally with the promise to membership to revisit the future of the EPPP in 2022.

Over the past several years the Board has spent considerable time gathering feedback from its jurisdictional members, liaisons to ASPPB, and various other stakeholders in the psychology community. Some of these activities have included discussions about the EPPP at ASPPB membership meetings, jurisdictional question and answer sessions, engagement with the training and education community, and the creation of the collaborative Examination Stakeholder Technical Advisory Group (ESTAG). Most recently, ASPPB conducted four Town Hall meetings during the summer of 2022. During the meetings, ASPPB provided those in attendance with a summary of the rationale for the development for the EPPP (Part 2- Skills), and questions surrounding the exam that have been raised by ASPPB membership and other stakeholders. Time was taken to share how those questions have been and continue to be addressed, and an overview was provided on the examination development process. Lastly, comment periods were made available for those who attended the Town Halls to share their thoughts and concerns regarding anything they heard in the presentation. In an effort to extend access to this important information, a recording of the presentation is available at <https://vimeo.com/743463541/0991a45ead>. Attached is a factual overview of the EPPP processes related to the main concerns that have been reported to ASPPB.

ASPPB is guided by its mission to assist its members with their primary responsibility of protecting the health, safety, and welfare of the public. In this effort, the Board remains committed to the ongoing development, refinement, and use of a valid, reliable, state-of-the-art competency assessment for those individuals that are seeking licensure to practice psychology. Consistent with the above, during its October 2022 meeting, the Board unanimously passed the following motion:

Effective no later than January 1, 2026, the EPPP is one examination with two parts, EPPP (Part 1 – Knowledge) and EPPP (Part 2 – Skills).

This means the EPPP will only be offered as a two-part examination effective January 1, 2026. We are aware that a number of jurisdictions are ready to move to the two-part model

immediately. Indeed, some already have. The transition in the registration portal can be accomplished fairly quickly. If your jurisdiction is ready to move forward, please notify Dr. Matt Turner at mturner@asppb.org.

Thank you for your continued efforts to ensure safe and competent practice in all of our jurisdictions.

The ASPPB Board of Directors

Alan B. Slusky, PhD, CPsych, President
Tomás R. Granados, PsyD, Past President
Herbert L. Stewart, PhD, President-Elect
Cindy Olvey, PsyD, Secretary-Treasurer
Michelle G. Paul, PhD, Member-at- Large
Hugh D. Moore, PhD, MBA, Member-at-Large
Jennifer C. Laforce, PhD, CPsych, Member- at-Large



ASPPB

Association of State and
Provincial Psychology Boards

An Update on the EPPP from ASPPB: A Factual Overview

The following information is provided to address misinformation and misunderstandings currently being circulated by communities outside of the regulatory community. First, ASPPB is committed to the development, refinement, and maintenance of a valid, fair, and equitable examination of competence to practice. ASPPB has taken the last five years, since the initial introduction of a two-part national examination in 2017, to listen, learn and move forward thoughtfully. Moreover, we anticipate positive collaboration in the years to come, with various members of the psychology community in these efforts. This document addresses the issues raised in a recent mass email campaign initiated by some in the education and training community. Please take a moment to review the information below and contact ASPPB with any questions, suggestions, or concerns you may have.

ASPPB is committed to addressing concerns raised by stakeholder groups regarding the examination of an individual's competence to practice psychology. ASPPB has taken many specific action steps to respond and will continue to do so on behalf of its members and the public they serve.

In 2020, ASPPB established the Examination Stakeholder Technical Advisory Group (ESTAG) . ESTAG was charged with (a) providing information on issues/questions raised by the training community and collaborating on methods to address such issues/questions, (b) serving as an additional voice and resource to inform more substantive policy questions from or before EPPP committees, (c) serving as informal liaisons to and from their respective communities regarding the ASPPB Examination Program, and (d) serving as a “think tank” that provides potential research ideas for examination-related matters.

ASPPB intentionally established ESTAG membership to include sharp critics of the EPPP, representatives from the education and training community, representatives from the regulatory community, and experts in test and measures development. There are 11 advisory members on ESTAG with the majority representing the school, counseling, and clinical education and training communities.

ESTAG met numerous times over the course of the last 2 years and conducted extensive work during and in between meetings. Over the summer months of 2022, the members worked to prepare and finalize a report with recommendations to the ASPPB Board of Directors (Board) regarding research options and communication strategies for the EPPP (Part 1- Knowledge) and (Part 2-Skills). Concurrently, ASPPB held four town hall meetings explicitly inviting regulatory, education, training, ethnic identifying, and other professional stakeholder groups to listen to updates regarding the Examination Program and to bring questions and concerns. Attendees asked questions and raised any concerns either during a live Q & A or by an option to send questions or concerns by email. Notably, very few concerns were raised either during, or in response to, these town hall meetings.

Unfortunately, during the town hall presentation, a remark was made indicating that the ESTAG had come to a consensus that the EPPP “met the Standards” [for Educational and Psychological Testing], when in fact the ESTAG’s

discussion on this issue was more nuanced and complex. Moreover, the ESTAG had not yet submitted its formal report to the ASPPB Board and, therefore, the remark was a premature one. Board President Alan Slusky apologized (see Appendix) to the education and training community. A video recording of the town hall giving a comprehensive review of the status of the EPPP that had been distributed, was revised to remove this misstatement, and then redistributed: <https://vimeo.com/743463541/0991a45ead>. Unfortunately, two members of the ESTAG elected to resign following this misstatement.

The ESTAG submitted its final report on August 22, 2022 and it was reviewed by the ASPPB Board at its October Meeting. The ASPPB Board greatly appreciates the work of ESTAG and is moving to promptly implement actionable, detailed recommendations. The Board will nominate people to fill the two vacant positions as it expects ESTAG's ongoing work to contribute greatly to the evolution of the EPPP.

The ASPPB Examination Program's procedures and evidence are rigorous and align with all generally accepted licensure examination development standards, including critical and foundational standards outlined by the *Standards for Educational and Psychological Testing*.¹ An independent evaluation was recently conducted by the California Office of Professional Examination Services (OPES) as part of its mandate to ensure that all examination programs used in the California licensure process comply with psychometric and legal standards for the development of professional licensure exams. **This thorough independent review clearly stated that the EPPP (Part 1- Knowledge) and (Part 2- Skills) meets the Standards:**

OPES found that the procedures used to establish and support the validity and defensibility of the above examination program components of the EPPP Part 1 and Part 2 appear to meet professional guidelines and technical standards outlined in the Standards for Educational and Psychological Testing (2014) (Standards) and in California Business and Professions (B&P) Code § 139.

https://psychology.ca.gov/about_us/meetings/materials/20211022_materials.pdf pp. 103-143

A two-part examination will not create new barriers to practice. Rather, it promises to smooth the road to licensure amidst a national mental health crisis.

Amid a national mental health crisis driven in part by mental health provider shortages, the need for qualified providers has never been more important. ASPPB is committed to supporting an accessible, navigable, and efficient path to licensure for all qualified candidates. The EPPP (Part 2-Skills) was developed to assess the skills of individuals who desire to practice psychology. In other words, it assesses the work with which practitioners are actually tasked at the point of licensure. The methodology undertaken to develop the exam is sound, it involved over one hundred licensed psychologists in direct development, and it reflects the *minimum* level of skills that should be demonstrated to safely practice. Although all would agree that more mental health services are needed, the notion that the public should not expect these services to be delivered by individuals who have empirically demonstrated minimally competent knowledge and skills is dangerous.

Furthermore, prior to the development of the EPPP (Part 2- Skills), numerous jurisdictions had created their own versions of skills exams which varied significantly in terms of development, method, and content. Still other jurisdictions utilized oral examinations to assess skills, which risk being more subjective and subject to legal challenges. The EPPP (Part 2-Skills) provides for consistent assessment of skills across jurisdictions, based on industry standards. It is expected to *replace* current steps to licensure, *not* add to them. Nevada, for example, eliminated a state-specific skills exam by replacing it with the EPPP (Part 2-Skills).

Moreover, in service of supporting a streamlined approach to licensing qualified individuals, ASPPB's recommended timing for delivery of the EPPP (Part 1-Knowledge) is as soon as foundational coursework is completed and prior to or during internship. This timing allows candidates to take Part 1 of the exam at the point of knowledge acquisition (when pass rates are highest)² as is done with other doctoral level health professions. Part 2 would then be delivered at the point of licensure (as is currently the case). Therefore, no additional delays in achieving licensure are anticipated.

The development of a fair, equitable, and accessible exam is a core value of ASPPB.

Significant time, energy, and resources have been put in place to develop processes and practices that reduce the chances of bias influencing exam performance³. These efforts have included:

- Intentional inclusion of a diversity of backgrounds, including race, ethnicity, and other identities; areas of expertise; and training backgrounds on all examination committees
- Training all item-writers to consider, among other things, cultural and linguistic issues
- In-person implicit bias training for all EPPP (i.e., Part 1- Knowledge and Part 2- Skills) item writers
- Repeated subject matter expert review of each item prior to appearing on an exam form, at multiple levels by several independent committees
- Pre-testing and statistical evaluation of *each* item prior to use as a scored item
- A statistical analysis, Differential Item Functioning (DIF), for each item across demographic variables
- Creation of an Item Review Committee (IRC) in 2020 to review those items identified by the DIF analysis for possible bias

Differential Item Functioning (DIF) analysis has been conducted since 2018 on each form of the EPPP. So far, over 1300 EPPP items have been subjected to DIF analyses. This process identifies items that perform differentially across demographic groups.

Next, any items that have been identified or flagged by the DIF analysis are reviewed by the 10-member Item Review Committee (IRC), an independent committee of psychologists with expertise in cultural competence, and experience working with underrepresented and marginalized populations. This committee was selected from well over 150 applicants. Items are reviewed blindly by committee members, and those that they deem potentially biased are removed from the exams.

To date, more than 1,300 items have been reviewed by DIF analysis; 34 items were flagged for review by the IRC. Committee members conducted a blind review of these 34 items and determined that 7 items should be omitted from the exam and item pool. This is an ongoing process, and DIF analyses will be conducted on every EPPP exam form going forward.

Although the current data suggest limited evidence of bias, ASPPB recognizes its responsibility in ensuring fair and equitable exams. This work must be multifaceted, ongoing, and expanded to eliminate inequities along the entire professional journey, beginning at recruitment, continuing through admissions and training, and ending in licensure. ASPPB will conduct future research on factors that may influence performance on the exam, will support test-takers in giving their best test performance, and will truly partner with stakeholders on research aimed at elucidating "the why" of differential performance across demographic groups.

ASPPB has also demonstrated its responsiveness to diversity and equity through a number of other actions. Although the ASPPB Board recognizes that these actions only represent a starting point, we wish to highlight examples of this work here:

- Regular education and outreach to the American Psychological Association of Graduate Students (APAGS) to assist students from diverse groups in understanding the licensure and examination process, including three presentations in 2022
- Consultation to A. Mihecoby and J. Thomas, authors of “*Lighting the Path*” to Psychology Licensure: *EPPP Handbook for Native Candidates*” published by The Society of Indian Psychologists
- Active participation in, and financial support for, the conference that culminated in the development of the Council of Chairs of Training Councils (CCTC) *Socially Responsive Toolkit* (2020)
- Ongoing work with CCTC to develop a network of PSYPACT holders to provide low-cost mental health services to graduate students in health service psychology programs
- Consistent with its commitment, approving financial support for students and early career psychologists through the:
 - 2022 National Multicultural Conference and Summit
 - 2022 Inez Beverly Prosser Scholarship for Women of Color, sponsored by PsiChi, The International Honor Society in Psychology

The ASPPB Board is actively exploring additional avenues to support successful licensure of candidates from under-represented racial and ethnically diverse backgrounds.

A two-part examination of knowledge and skills ensures a thorough assessment of competence and is good for the protection of public health and welfare.

At the point of licensure, regulatory boards have the responsibility to assess each individual applicant in real-time, to determine if they can safely practice psychology. Psychology has been an outlier among health care professions in not having had a standardized assessment of competency. Skills are not measured universally or in a standardized manner but instead through other methods such as supervisor ratings and letters of recommendation. The EPPP (Part 2-Skills) does, in fact, finally provide the measure that has been lacking. No better universal measure currently exists to ensure that a candidate demonstrates the minimal level of skills to practice independently, at a single point in time, across all expected profession-wide competencies (e.g., intervention and assessment, professionalism). This is particularly important given notable concerns raised by the training community that psychology trainees’ development of skills has been increasingly inconsistent. Recent concerns expressed by the Association of Psychology Internship and Postdoctoral Centers (APPIC) over the lack of adequate preparation of students for internship highlight these concerns and further argue for the need for an independent measure of competence to safely practice psychology.

ASPPB is a non-profit organization that is mindful of cost and of responsibly stewarding its resources on behalf of the health and welfare of the public.

We agree that the cost of education, and subsequent substantial educational debt, are enormous problems for students and may disproportionately impact first generation and low-income candidates. In response to concerns raised by stakeholders, students, and member jurisdictions, the Board has taken steps over the past 3 years in service of reducing the financial burden for test-takers. These actions have included:

- A 25% reduction in the EPPP (Part-2 Skills) fee, with no current plans to increase that fee
- Practice examinations that are now provided at-cost, so that candidates may access both in-person and on-line exams at minimal expense

ASPPB also expects that administering the EPPP (Part 1-Knowledge) at the point of knowledge acquisition (as is now recommended) will result in significant cost-savings for students who would otherwise pay for expensive third-party test-preparation materials. As noted above, the two-part format will allow for early admittance to the EPPP (Part 1-Knowledge) exam at the time of knowledge acquisition, a time when our research shows that pass-rates are higher². Higher initial pass rates and less reliance on expensive test preparation companies are expected to mitigate costs substantially. ASPPB also expects that students who do not pass the EPPP (Part 1-Knowledge) at the time of knowledge acquisition will benefit from remediation while they are still in the training phase, while still in their programs with access to that remediation. Further, training programs will benefit from real-time feedback regarding students' preparation in the foundational knowledge required for internship readiness at the individual level, and accreditation at the program level.

ASPPB appreciates this opportunity to outline these changes which we believe will serve the public interest and benefit the profession of psychology. We invite you to share additional questions or concerns you may have via email at asppb@asppb.org or telephone at (678) 216-1175. Thank you.

References

1. American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, eds. (2014). *Standards for Educational and Psychological Testing*. Lanham, MD: American Educational Research Association.
2. Schaffer, J., Rodolfa, E., Owen, J., Lipkins, R., Webb, C., & Horn, J. (2012). The Examination for Professional Practice in Psychology: New data-practical implications. *Training and Education in Professional Psychology*, 6. 1-7. 10.1037/a0026823.
3. Turner, M. D., Hunsley, J., & Rodolfa, E. R. (2021). Appropriate validation standards for licensure examinations: Comment on Callahan et al. (2020). *American Psychologist*, 76(1), 165-166.

REPORT TO COUNCIL

2022.04.04A

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

PRESIDENT'S REPORT

Dr. Rick Morris' Retirement

Dr. Rick Morris informed us, in the summer, of his decision to retire from his position as our Registrar and Executive Director at the College of Psychologists of Ontario (CPO) and we have now arrived at his final Council meeting with us. I anticipate that he has been systematically ticking off many “lasts” as he engages in the work of the College this fall. Yet, he is also developing a new list of “firsts” as he looks to the new year and the opportunities that post-retirement life will offer.

It is natural to review the span of your career accomplishments as you look to retirement. In Dr. Morris' case, these accomplishments are too many to list. Yet, a cursory review of his resume and the College calendar reminds us of the breadth of his impact on the many individuals and groups he interacted with during his tenure here at the CPO.

Professionally, Dr. Morris was first a Clinical Psychologist who registered with the College of Psychologists of Ontario in 1980. His career began with a clinical practice focused on children, youth and families at Kinark Child and Family Services. Within five years, he was taking on more senior clinical and administrative positions at Kinark, eventually working as their Director of Clinical and Service Quality between 1989 and 1996.

This early work at Kinark prepared Dr. Morris for his next challenge and opportunity. In August 1996, he joined the College of Psychologists of Ontario staff as Director of Professional Affairs. This role soon expanded to include the title of Deputy Registrar. Dr. Morris fulfilled the requirements of the position while simultaneously becoming the “tricky issues” expert for the membership. While his expert ethics knowledge was valued, his generous gift of his time and authenticity of connection with anyone who sought to access his expertise, furthered his excellent reputation. Dr. Morris was approachable, and many of the thousands of psychologists and psychological associates in Ontario have individual stories to share about their interactions with him over time. In addition to his many ethics focused talks, Dr. Morris has also been a graduate program Lecturer for Ethics in Applied Psychology at OISE/UT and more recently for Ethical Issues in Professional Practice at York University. It is not surprising that he received the Ontario Psychological Association Barbara Wand Award for Excellence in the Area of Professional Ethics and Standards in 2007.

In June 2015, Dr. Morris took on the role and responsibilities of Registrar and Executive Director at the CPO. His institutional knowledge, educational briefings and wise advice have assisted Council members and staff to make well-informed decisions over time. Dr. Morris' willingness to develop collaborative relationships with the full range of possible College stakeholders further enhanced his understanding of the regulation of the profession, with College staff, Council and Committee members and the members of the profession at large benefiting accordingly. Stakeholder organizations also gained from his contributions, as Dr. Morris was the Chair of the national association of regulators of psychology in Canada, the *Association of Canadian Psychology Regulatory Organizations (ACPRO)*, from 2008 to 2016.

As well, he was named a Fellow for his extensive and valued contributions to the international *Association of State and Provincial Psychology Boards (ASPPB)*.

Now, as Dr. Morris contributes to our Council meeting one last time, I am pleased to state that he is doing so as this year's recipient of the Award of Merit from the Ontario Psychological Association.

On behalf of Council, I want to thank Dr. Morris for his many years of excellent and valued service to the College and wish him many more years of success as he moves into retirement.

Search Committee

The Search Committee has partnered with the Odgers Berndtson staff to identify a group of possible candidates for the position of Registrar and Executive Director at CPO. This work continues at this time.

ABA Regulation

The Applied Behaviour Analysis Working Group, led by Dr. Paula Garshowitz, has now reviewed the consultation feedback regarding the proposed amendments to College Regulations focused on Behaviour Analysts. This consultative feedback was provided by a wide variety of stakeholders. A summary of the consultative feedback and several minor revisions to the proposed amended Regulations resulting from the feedback are included in the Council materials available for review.

Master's Level Registration

Dr. Paula Garshowitz has completed a portion of the research that is required to develop a document to present to the Ministry of Health regarding the Council action point 2019.03.03C, "To pursue amendments to O.Reg. 74/15 - Registration under the *Psychology Act, 1991* to discontinue Master's level registration and at that time, grant the title Psychologist to all existing Psychological Associates."

Dr. Garshowitz reported that she "has reviewed the extensive information available related to past Councils' decisions to close Master's level registration, including a review of the development of the *Psychology Act, 1991* and the initial creation of Master's level registration." In addition to document review, Dr. Garshowitz has interviewed individuals who provided "information on the current situation in Ontario, but also individuals who can offer broader Canadian and American perspectives."

Once the information gathering phase is complete, Dr. Garshowitz will author a draft summary report for review.

Council Member News

I would like to take this opportunity to applaud Ms. Paula Conforti, our District 7 professional member of Council, on her successful completion of a Ph.D. in Medical Science from the Temerty Faculty of Medicine, University of Toronto. Her dissertation is titled "A School-Based Cognitive Behavioural Therapy Skills Intervention for Suicide Prevention and Wellbeing in Youth". Congratulations Paula!

Respectfully,

Wanda Towers, Ph.D., C.Psych.

REPORT TO COUNCIL

2022.03.04B

DECEMBER 2022 COUNCIL MEETING

REGISTRAR & EXECUTIVE DIRECTOR'S REPORT

ASSOCIATION OF CANADIAN PSYCHOLOGY REGULATORY ORGANIZATIONS (ACPRO)

In early November, I participated in the two-day semi-annual meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO) along with Dr. Wanda Towers, College President and Mr. Barry Gang, Deputy Registrar. The meeting was attended by representatives of all ten provinces and, for the first time, there was a delegate from the psychology regulatory body in the Northwest Territories. The meeting discussed a variety of topics including the use of the EPPP-2 by some Canadian jurisdictions, an ACPRO Equity, Diversity, and Inclusion statement, and sharing of public information regarding decisions of jurisdictions' Discipline Committees.

One of the main topics for discussion, which has been of ongoing concern for ACPRO and many of the member jurisdictions was that of cross border telepsychology. The ACPRO Telepsychology Working Group offered the following regarding "Possible Ways Forward for Inter-Jurisdictional Telepsychology".

The Working Group noted that there is unanimous agreement among jurisdictions that access to appropriately regulated telepsychology services was in the public interest. They reported that three jurisdictions (Quebec, Nova Scotia, New Brunswick) currently take the position that telepsychology services provided to their residents by practitioners outside their jurisdictions can be appropriately regulated by the practitioners' home jurisdictions, which would be responsible for receiving and acting upon complaints. Eight jurisdictions (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Prince Edward Island, Newfoundland and Labrador, Northwest Territories) are of the view that they must regulate provision of telepsychology services received by their residents from practitioners outside their jurisdiction. This requires some form of registration in the jurisdiction of the client.

They noted there was an exception to this as the four Atlantic provinces have entered into a Memorandum of Understanding (MOU) which enables practice by those registered in and practicing from one Atlantic province into any other Atlantic provinces upon annual notification, and attestation of agreement to abide by the ACPRO Model Standards of Telepsychology as well as the standards and laws of the client's jurisdiction.

ACPRO recognizes the problems in having such varied, jurisdiction dependent rules and would like to find a way to facilitate simple and low-cost access for certain limited services in jurisdictions for which registration is required of those delivering telepsychology into the jurisdiction.

The ACPRO Telepsychology Working Group is recommending that jurisdictions enter into an Interjurisdictional Telepsychology MOU which:

- i. recognizes the position noted above of QC, NS and NB; and
- ii. details an agreement regarding telepsychology practice into the eight jurisdictions requiring some form of registration.

It was suggested that such an MOU would address the following components:

A registration certificate for *Limited Telepsychology Practice* (which could have a different name across jurisdictions according to the applicable legislation, regulations, by-laws) would be issued to registrants who:

- Are fully registered, and remain fully registered, in their home jurisdiction;
- Have had their registration in good standing confirmed by their home regulatory body;
- Submit a brief application form, standard across the eight jurisdictions, which would include the practitioner's name, contact information, home jurisdiction and registration number, degree upon which registration is based;
- Indicate the type of *Limited Telepsychology Practice* category they feel applies to them (see below)
- Attest that they will abide by the ACPRO Model Telepsychology Standards (as revised from time to time) and the standards and jurisprudence of the jurisdiction into which telepsychology services will be provided, and by the restrictions of their certificate of registration.
- Pay the applicable (modest) fee.

The suggested list of eligible categories of *Limited Telepsychology Practice* would be related to client need on a limited basis and could include:

- Continuity of care for a client who has moved to a different jurisdiction;
- Continuity of care for a client in an out-of-jurisdiction public setting (e.g., regional referral hospital) and receiving follow-up services at home;
- Services, new or ongoing, from a regional public service setting (e.g., regional referral hospital, Critical Stress Injury Clinic);
- New or ongoing family services where family members live in different jurisdictions;
- College and university students receiving new and ongoing services from their educational institution that would have been freely available to them were they on campus;
- New and ongoing services to a College/Board registrant or to a psychology graduate student (for whom access to local services may be problematic given permeability of professional boundaries);
- Services to a single new client (in none of the above categories) in a year.

Telepsychology practice not falling into one of the approved categories above would require a regular (CFTA) application for full registration and payment of applicable application and registration fees.

It was seen as important that all jurisdictions agree to a common simple application and a common, modest fee as compared to that of full registration. As well, the jurisdictions would agree that the requests for issuance of the *Limited Telepsychology Practice Certificate* will be expeditiously reviewed.

In considering the issue of a complaint received for a telepsychology service, the Working Group recommended that complaints received by either the client's jurisdiction or the practitioner's home jurisdiction would be shared with the other jurisdiction. Barring any legislative restrictions, both jurisdictions retain a right to investigate the complaint, but would consult with each other regarding how to proceed and the possibility of proceeding sequentially and of proceeding collaboratively.

There was no decision made regarding the implementation of an MOU, but jurisdictions agreed with the general concepts being presented. It was noted that such a major agreement would require the approval of each jurisdiction's College or Board following discussion with legal counsel.

The ACPRO Board of Directors received the report but are not asking each jurisdiction for agreement at this time.

ONTARIO ASSOCIATION FOR BEHAVIOUR ANALYSIS (ONTABA) ANNUAL CONFERENCE

On December 1, 2022, I had the pleasure of attending the Annual General Meeting of ONTABA and bringing greetings on behalf of the Council and staff of the College. I had the opportunity to provide a brief update on the progress being made toward bringing Behaviour Analysts into regulation in Ontario and offered a special acknowledgement and thanks to College's ABA Working Group and to ONTABA for its support and encouragement. The information provided was well received and I believe the members of ONTABA were appreciative of my taking the time to speak to their AGM.

MY PENDING RETIREMENT. . .

While the last few months have been as busy as ever and the next couple hold promise of more of the same; I am coming to the realization that my retirement from the College of Psychologists is fast approaching and this is my last Council meeting.

When I joined the College as Director of Professional Affairs, I would not have predicted my career path would lead me to remain for over 26 years, culminating with the opportunity to be the Registrar & Executive Director of this very important and critical organization. My roles have encompassed almost all aspects of College work; certainly a highlight of which has been my Tricky Issues presentations. Beginning as an experiment at a very early Barbara Wand Seminar, I had no idea it would catch on the way it did or that it would become my signature piece of professional work. Tricky Issues has offered me the opportunity to meet so many members and graduate students engaging in discussions of ethics and jurisprudence in an interesting, and hopefully, fun way.

My work at the College has also afforded me the opportunity to engage with psychological practitioners and regulators from across Canada and the USA discussing and sharing ideas about how regulatory bodies could work with and assist members as they strive to provide excellence of service. I have also been fortunate to work with many highly committed individuals from other Ontario health Colleges as well as the Ministry of Health and the Ministry of Children, Youth and Community Services.

It has been a great pleasure to work with so many members of the profession and public members who have generously volunteered their time, over the years, as Council and Committee members, to fulfill the College's mandate to serve and protect the public interest. I especially want to thank Dr. Wanda Towers the current College President but certainly all of those with whom I have worked who came before her.

Throughout all of this, I have been so fortunate to have had the support of excellent and dedicated staff. I especially must acknowledge our Senior Management Team which has provided strong and steady leadership. Thank you to Barry, Lesia, Zimra, Stephanie and Caitlin who have been with me for much of this journey and are deserving of credit for many of my successes.

CONTACT FOR QUESTIONS

Dr. Rick Morris, Registrar & Executive Director

REPORT TO COUNCIL

2022.04.04C

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

REGISTRATION COMMITTEE QUARTERLY REPORT

COMMITTEE MEMBERS:

Marjory Phillips, Co-Chair, Council Member
 Adrienne Perry, Co-Chair, Council Member
 Mark Coates, College Member
 Paula Conforti, Council Member
 Carolyn Kolers, Public Member
 Samantha Longman-Mills, College Member

Nadia Mocan, Public Member
 Eduardo Roldan, College Member
 Fred Schmidt, Council Member
 Paul Stopciati, Public Member
 Sheila Tervit, College Member

STAFF

Lesia Mackanyn, Director, Registration
 Myra Veluz, Senior Registration Assistant
 Shannon Elliott, Registration Assistant

Deneika Greco, Registration Assistant
 Janine Persaud, Registration Assistant
 Emily Sarmento, Registration Assistant

COMMITTEE ACTIVITIES

September 15, 2022: Plenary Session

The Committee reviewed its Work Plan, looking at on-going projects, and acknowledging the completion of its work on the *Supervision Resource Manual, Third Edition, 2022*. The report summarizing the outcome of the June 2022 Oral Examination session was reviewed, which included candidate and examiner survey feedback. Continuing their work reviewing the Oral Examination process, the Committee considered the use of diagnostic vignettes and the development of a guide for creating vignettes. Lastly, the Committee reviewed a decision from the Health Professions Appeal and Review Board (HPARB) in which the Committee's decision to refuse registration to an applicant whose academic credentials did not meet the College's requirements was upheld.

September 15, 2022: Panel B

The Registrar referred a total of 35 cases to Panel B which included:

- 5 involving academic credential reviews (1 doctoral, 4 masters);
- 21 involving training for supervised practice members or eligible candidates (6 doctoral, 15 masters);
- 1 involving an application for removal or modification of limitation and/or condition;
- 7 involving requests for change of area of practice.
- 1 involving a request to return to an autonomous certificate from an inactive certificate.

September 16, 2022: Panel A

The Registrar referred a total of 31 cases to Panel A which included:

- 4 involving academic credential reviews (2 doctoral, 2 masters);
- 20 involving training for supervised practice members or eligible candidates (6 doctoral, 14 masters);
- 1 involving an application for removal or modification of limitation and/or condition;
- 6 involving requests for change of area of practice;

November 10, 2022: Plenary Session

The Committee approved revisions to the Supervised Practice Training Plan Manual's List of Suggested Readings. In continuing their work on reviewing the Oral Examinations process, the Committee piloted using a step-by-step guide for creating diagnostic vignettes. The Committee considered a proposal from a member of the College who has developed a graduate level coursework equivalent in pediatric health psychology. Lastly, the Committee received three separate decisions from the Health Professions Appeal and Review Board in which the Committee's decision to refuse registration to an applicant whose academic credentials did not meet the College's requirements was upheld.

November 10, 2022: Panel A

The Registrar referred a total of 41 cases to Panel A which included:

- 5 involving academic credential reviews (5 masters);
- 26 involving training for supervised practice members or eligible candidates (13 doctoral, 13 masters);
- 2 involving an examination outcome (Oral Examination);
- 1 involving an application for removal or modification of limitation and/or condition;
- 7 involving requests for change of area of practice;

November 9, 2022: Panel B

The Registrar referred a total of 38 cases to Panel B which included:

- 5 involving academic credential reviews (1 doctoral, 4 masters);
- 27 involving training for supervised practice members or eligible candidates (13 doctoral, 14 masters);
- 5 involving requests for change of area of practice;
- 1 involving a request to return to an autonomous certificate from an inactive certificate.

SUBMITTED BY

Marjory Phillips, Ph.D., C.Psych., Co-Chair

Adrienne Perry, Ph.D., C.Psych., Co-Chair

REGISTRATION RELATED TERMS

- **Academic Credential Review:** Cases where after an initial review, the Registrar has referred an application for supervised practice to the Registration Committee for a further review to determine whether the applicant has an acceptable master's or doctoral degree.
- **Change of Area of Practice:** Autonomous practice members who wish to be authorized to practice in a new area and/or with a new client group.
- **Examination Outcome:** Individual cases that require a review of the outcome of, or an issue with, the Oral Examination, JEE, or EPPP.
- **Reciprocity Application:** Reviews of cases where an applicant has applied from a jurisdiction in which the College has entered into a written reciprocity agreement.
- **Removal or modification of limitation and/or condition:** Autonomous practice members who wish to have a registration related limitation and/or condition removed (or modified) from their certificate of practice.
- **Retraining:** Applies to supervised practice members and eligible candidates. If after an initial review, it appears that a candidate is missing required components in the area for which they have declared

competence to practise, the Registrar will refer the candidate's application to the Registration Committee for a review of their education and training. The Committee will determine whether the candidate must augment her/his knowledge and skills via a retraining plan.

- ***Return to Autonomous Certificate from Inactive Certificate:*** *Members who have held an Inactive Certificate of Registration for longer than 2 years and who wish to return to a Certificate of Registration Authorizing Autonomous Practice.*

REPORT TO COUNCIL

2022.04.04D

SECOND QUARTER, SEPTEMBER 1, 2022 – NOVEMBER 30, 2022

INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE

COMMITTEE MEMBERS:

Melanie Morrow, College Member, Chair
 Tanaya Chatterjee, College Member
 Adam Ghemraoui, College Member
 David Gold, College Member
 Allyson Harrison, College Member
 Joyce Isbitsky, College Member
 Jacob Kaiserman, College Member
 Marilyn Keyes, Council Member
 Archie Kwan, Council Member
 Ilia Maor, Public Member

Denise Milovan, College Member
 Ian Nicholson, Council Member
 Cenobar Parker, Public Member
 Jasmine Peterson, College Member
 Rana Pishva, College Member
 Naomi Sankar-DeLeeuw, College Member
 Wanda Towers, Council Member
 Esther Vlessing, Public Member
 Scott Warnock, Public Member

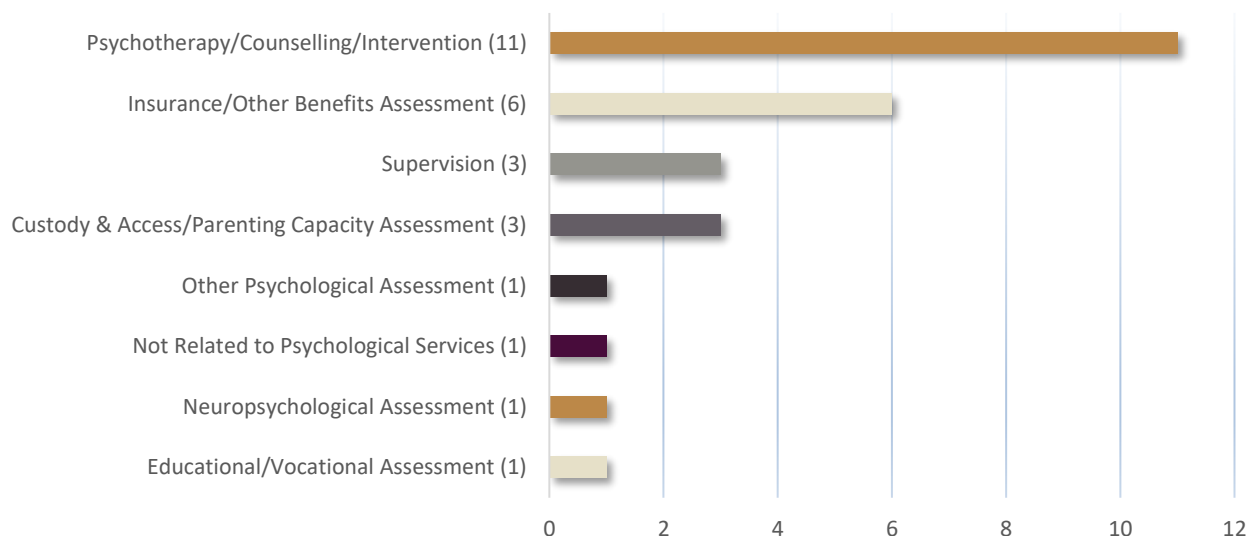
STAFF

Zimra Yetnikoff, Director, Investigations & Hearings
 Hélène Theberge, Senior Administrative Assistant
 Jennifer Taylor, Administrative Assistant

COMMITTEE ACTIVITIES

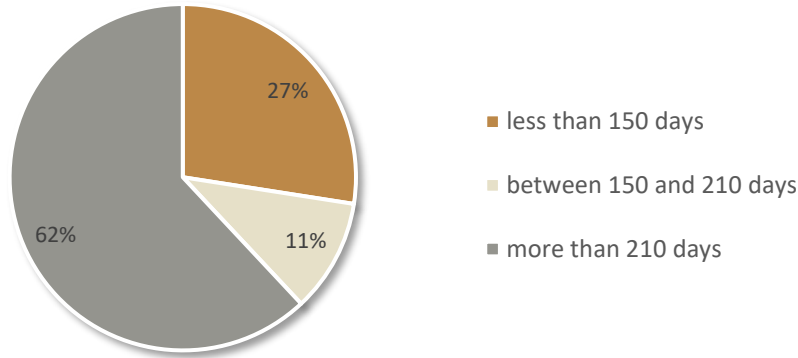
New Complaints and Reports

In the 2nd Quarter, the College received 26 new complaints and opened one Health Inquiry, for a total of 27 new matters. The nature of service in relation to these matters is as follows:



Timeline Snapshot

There are currently 142 open Complaints and Registrar’s Investigations that are being actively investigated.

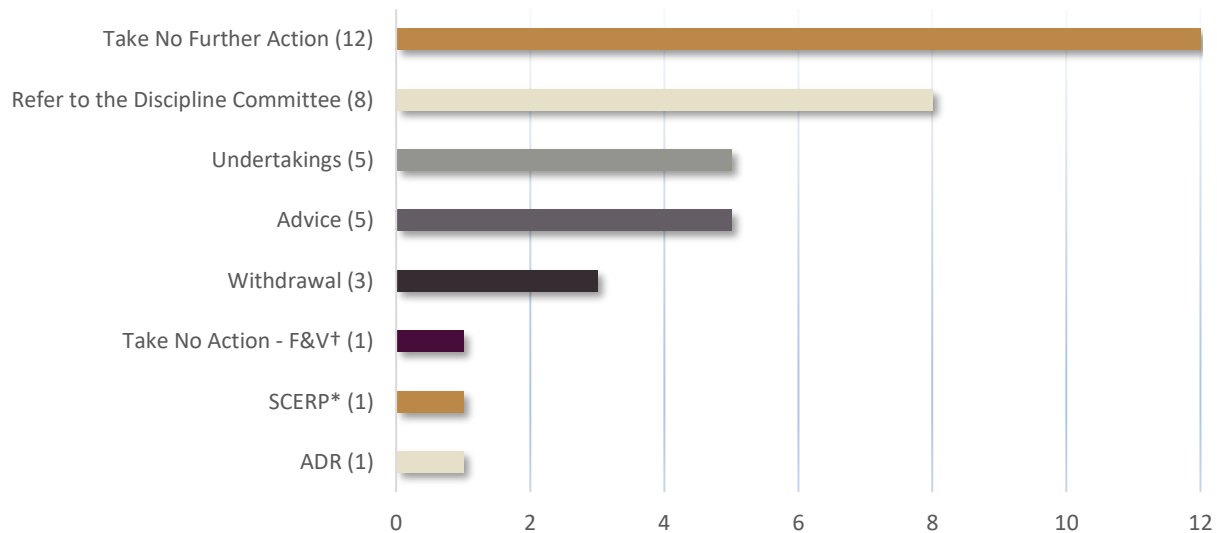


ICRC Meetings

The ICRC met on September 9, October 3, and November 10, 2022, to consider a total of 27 cases. In addition, the ICRC held 18 teleconferences to consider 27 cases. The ICRC also held a plenary meeting on November 4, 2022. The next ICRC meeting is scheduled for December 8, 2022, with 10 cases on that agenda.

ICRC Dispositions

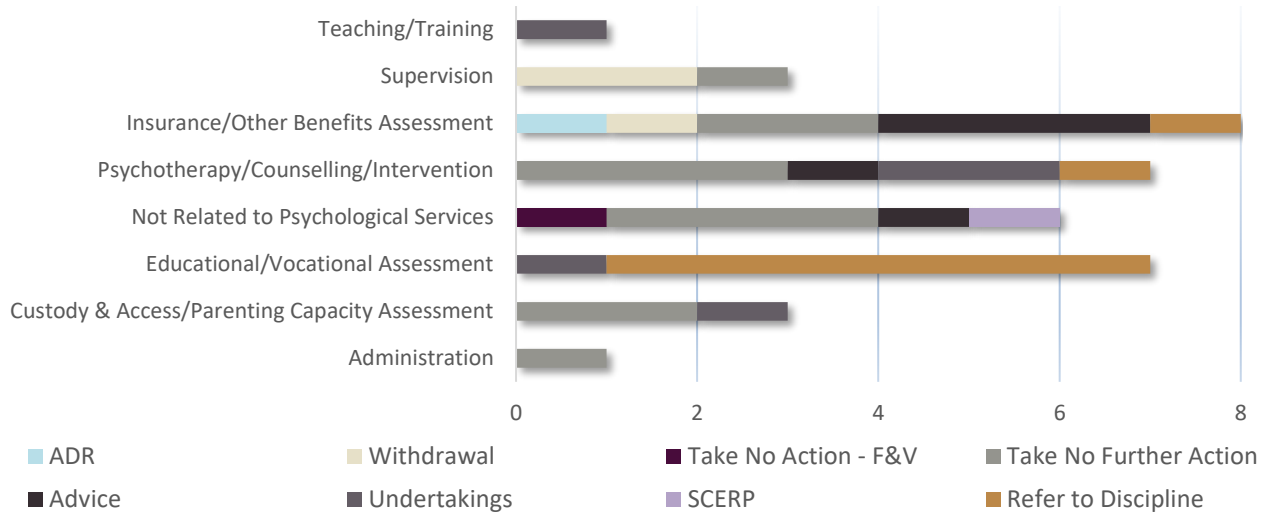
The ICRC disposed of 36 cases during the 2nd Quarter. The ICRC took some remedial action, ranging from providing advice to a referral to the Discipline Committee, in 19, or 53%, of these cases:



†F&V: Frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process, pursuant to s.26(4) of the Health Professions Procedural Code.

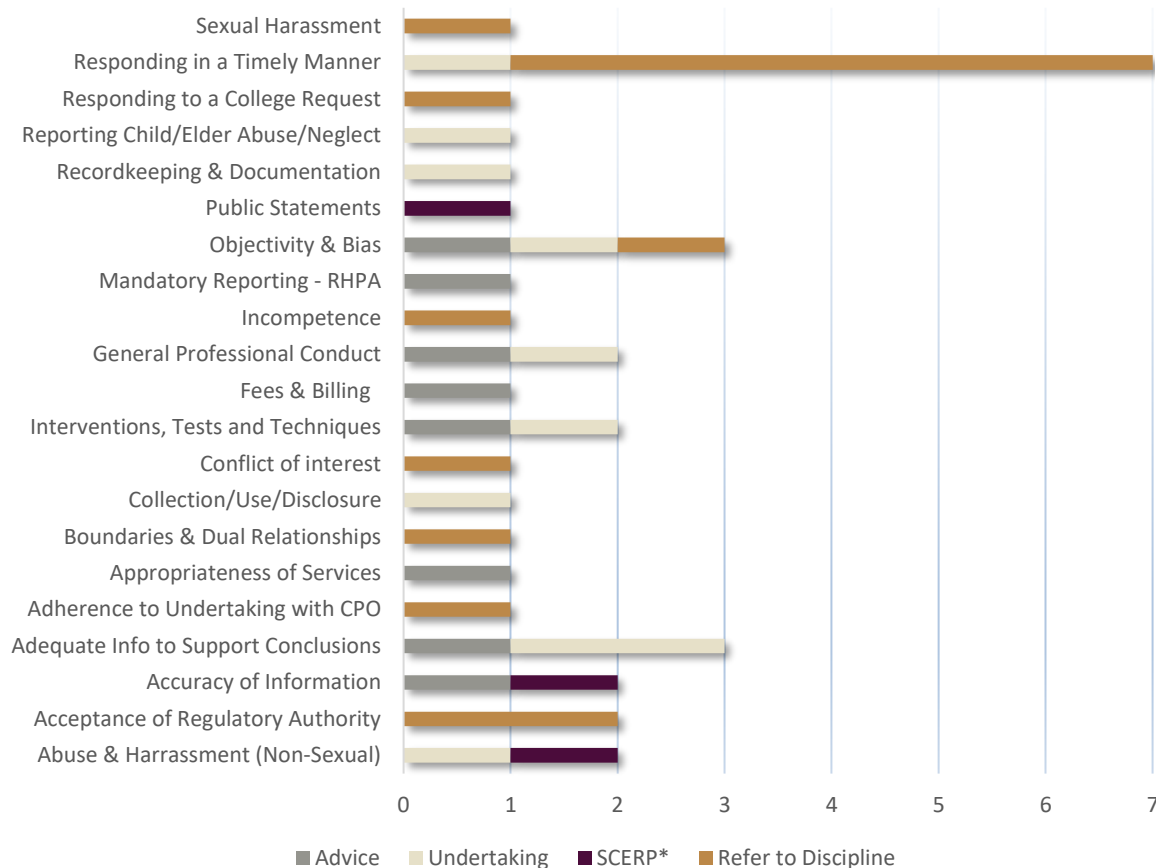
*SCERP: Specified Continuing Education or Remedial Program

The dispositions of these 36 cases, as they relate to nature of service, are as follows:



Disposition of Allegations

The 36 cases disposed of included the consideration of 79 allegations. The ICRC took some remedial action with respect to 36, or 46%, of these allegations.



Health Professions Appeal and Review Board (HPARB)

In the 2nd Quarter, two HPARB reviews of ICRC decisions were requested. The College received two HPARB decision, both confirming ICRC decisions.

SUBMITTED BY

Melanie Morrow, M.A., C.Psych.Assoc., Chair

BRIEFING NOTE

2022.04.04D

DECEMBER 2022 COUNCIL MEETING

INTEGRATED RISK MANAGEMENT REPORT TO COUNCIL - For Information

STRATEGIC DIRECTION REFLECTION

Acting in a responsibly transparent manner; Advancing the Council's governance practices

PUBLIC INTEREST RATIONALE

To identify and work to mitigate risks to ensure the College can continue to address its public interest mandate. These include Risks to Office/Staff, Risks to the College (reputation/self-regulation), and Risks to the Public (from members).

BACKGROUND

In December 2017, Council approved the introduction of an Integrated Risk Management Plan using the Risk Management Register through the Healthcare Insurance Reciprocal of Canada (HIROC). The risk assessment included a review of three categories of risk: Risks to Office/Staff, Risks to the College (reputation/self-regulation), and Risks to the Public (from members). The initial review identified 18 risks. Of those, five have had controls and mitigation strategies implemented and have been closed. An example is *Termination of an employee resulting in legal action against the College*. The College has an annual performance review process in place to identify any potential issues and obtains legal advice as necessary.

The Risk Management Register is monitored throughout the year and annually reviewed to assess the effectiveness of the strategies applied and to identify any new risks to be included. In October and November 2022, an assessment was undertaken to review current active risks and to identify any other risks to be added to the Risk Register. This review includes the budgetary implications of any risks identified.

Currently there are 24 risks open, which include risks carried over from the previous year. For the most part, these are considered "residual" risks and will remain open to ensure continuous monitoring and mitigation. An example is "sexual abuse of a client by a member". While the College, through the Client Relations Committee, provides educational materials regarding this, the College cannot guarantee that even with such mitigation, the risk will be eliminated. Therefore, this remains on ongoing, "residual" risk.

New Risks

The Risk Management Register review undertaken in 2022 resulted in the identification of two new risks; theft and burglary and complete internet outage.

Burglary and Theft

As College staff are currently working both at the office and remotely (hybrid model), some staff now transport their laptops on public transit when they work in office, and all staff keep their equipment and peripherals at their home. This newly identified risk include a loss of equipment while on public transit and loss through home break-in. These are considered ongoing risks and mitigation strategies are used to minimize the impact. All electronics are password protected and two factor authentication is installed.

Any equipment left in the office overnight is placed in a locked cabinet. Staff are encouraged to maintain a secure environment for any equipment issued to them.

Office Internet Outage

During 2022 the College experienced a complete outage of all internet services as the full Rogers system 'went down'. As a result, the College was unable to conduct business during the period of the outage as even staff with an alternative internet provider could not access the College files and database. The potential for this to occur again is very low and therefore this is the risk rating assigned to it. The impact is considered low since although it affects the College's total operation, the duration of such an outage is anticipated to be short so as not to cause more than an inconvenience to staff and Committee members. As well, such an outage on this level would not just impact the College, but all clients of Rogers.

In considering this risk, mitigation strategies were considered. The only action that could be taken to mitigate this risk is to contract with a second internet provider, e.g., Bell or Telus, to provide service in the event of a Rogers outage. Given the very low risk of occurrence and low impact it was felt to financially impractical to enter into a second contract. This risk will remain open and reviewed based on future experience.

Closed Risks

Overall, to date, five risks have been closed as mitigation strategies have been put into effect to reduce the risk to an extremely low level and a determination made that no additional actions are required. These closed risks include three in the Human Resources Category and two in the financial category.

Human Resources

- Whistle-blowing
- Violence/Disruptive Behaviour

A Policy has been developed which speak to "whistle-blowing" and the protection of staff who may wish to report concerns about other staff or management. In addition to education regarding legislation related to violence or disruptive behaviour in the workplace, the College has a clear staff behaviour expectation.

- Wrongful Dismissal – procedure in place that identify how dismissal

Procedures are in place which require managers to monitor staff performance on an ongoing basis. Should concerns arise that are not amenable to remediation, appropriate steps are taken on a case-by-case basis, in conjunction with legal advice to ensure that any termination that may be necessary is done in a manner which would not constitute "wrongful dismissal".

Financial

- Financial Malfeasance

The College has extensive financial controls in place to safeguard the variety of decisions and approval made by management in the course of handling the College's assets. These controls are reviewed annual by the auditor during the year-end financial audit and are consistently found to be adequate and appropriate.

- Loss of Assets; Theft/Break In

The risk related to the loss of assets within the College office due to theft or break in. Both the office suite and the building in which the offices are located have security measures in place. The office suite has controlled access and building access is restricted outside of regular business hours. With regard to

internal theft of assets, in addition to having insurance coverage in place, the College maintains a list of assets which indicates to whom it is assigned.

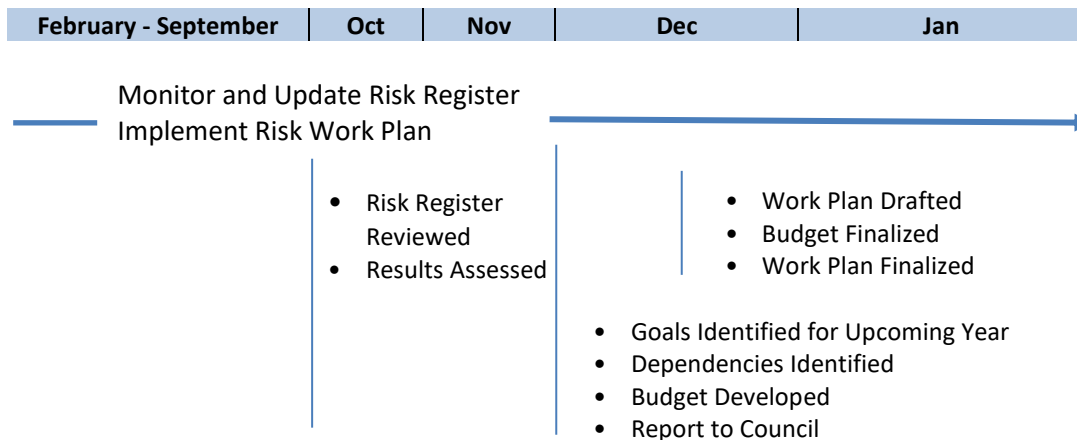
In October and November 2022, an assessment was undertaken to review current active risks and to identify any other risks to be added to the Risk Register. This review includes the budgetary implications of any risks identified.

Risks by Category and Risk Level 2022

	Current Open Identified Risks				Closed
	Low	Medium	High	Total	
Human Resources	0	3	0	3	3
Financial	1	1	0	2	2
Leadership	0	1	1	2	
External Relations	0	1	0	1	
Information Mgmt/ Technology	2	0	1	3	
Facilities	1	1	0	2	
Regulatory	0	9	2	11	
Total	3	16	4	24	5

Risk Register Timeline

The following *Risk Register Timeline* illustrates the annual cycle undertaken to monitor and maintain the Risk Register:



CONTACT FOR QUESTIONS

Rick Morris, Ph.D., C.Psych.
Registrar & Executive Director

REPORT TO COUNCIL

2022.04.04F

DECEMBER 2022 COUNCIL MEETING

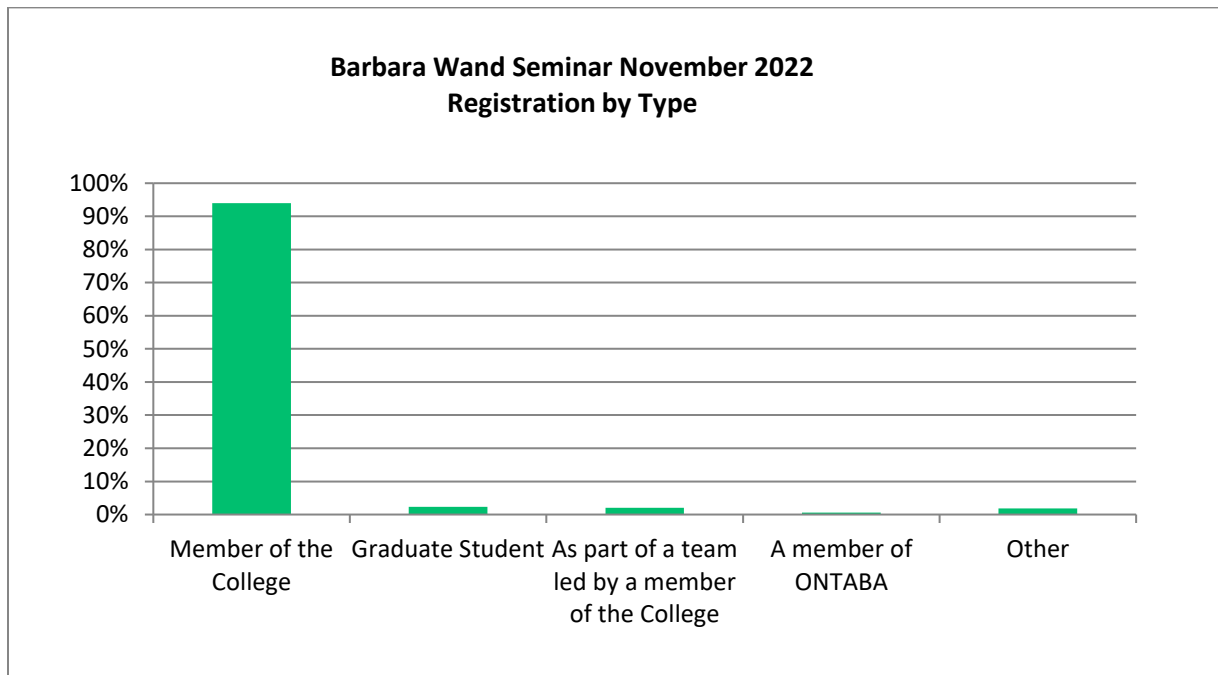
BARBARA WAND SEMINAR IN PROFESSIONAL ETHICS, STANDARDS AND CONDUCT

Fostering Equity Competencies

Janet Mawhinney, MA
Rani Srivastava, RN, Ph.D., FCAN

The Barbara Wand Seminar was held on November 28, 2022 and was provided exclusively by webinar. There were 1590 individual registrations which included many who viewed as part of a group. The total viewership is estimated at 3410. In addition to live viewers, the recording of the Seminar, posted on the College website, was viewed 385 times between November 28 and December 8. Members who were unable to attend the live event will continue to have the opportunity to watch the recording until December 31, 2022.

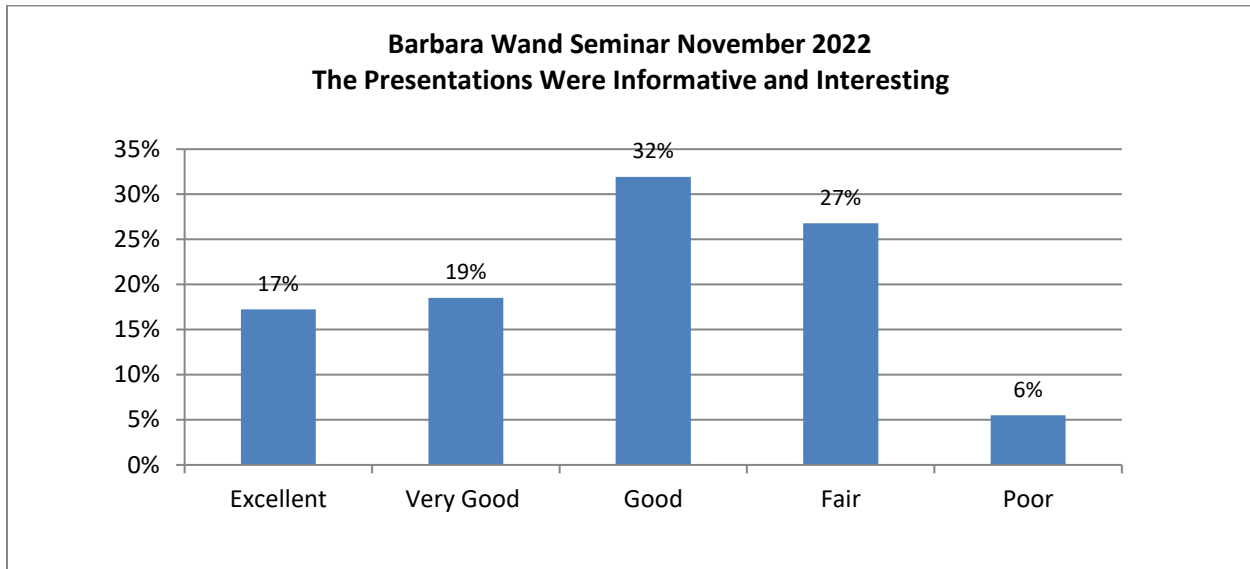
While attendees were primarily members of the College, Seminar registrants also included graduate psychology students, those who were part of teams led by a member of the College, members of the Ontario Association for Behaviour Analysis (ONTABA) and others.



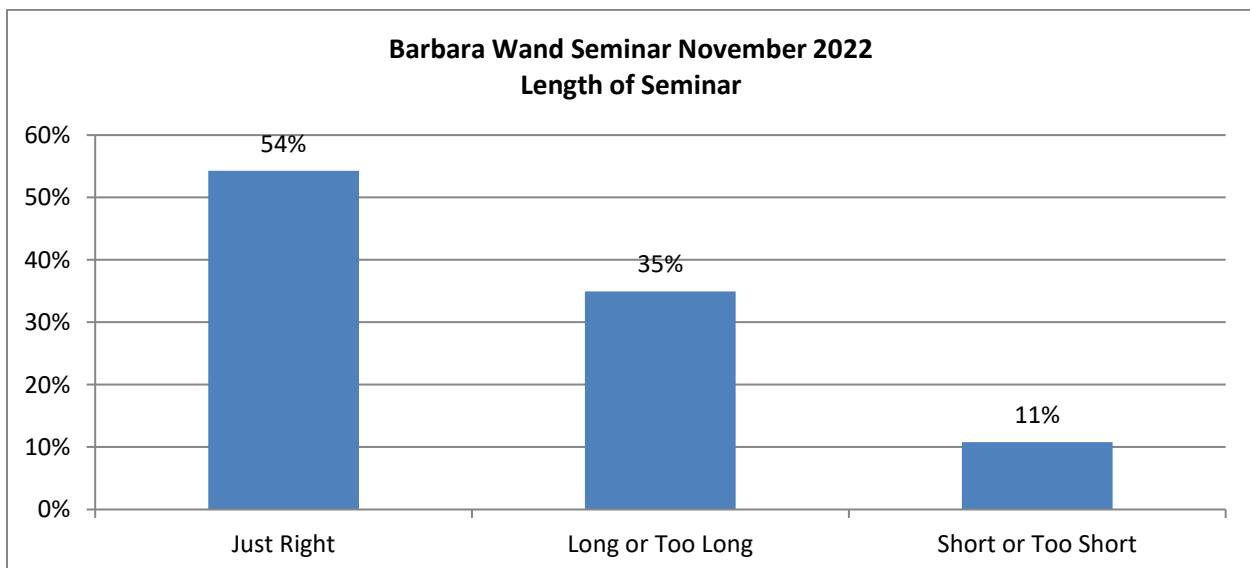
The Barbara Wand Seminar was offered at no charge in keeping with the College’s wish to support and encourage continuing professional development.

We thank those who responded to our survey. The feedback indicated that most attendees found the presentation to be of value.

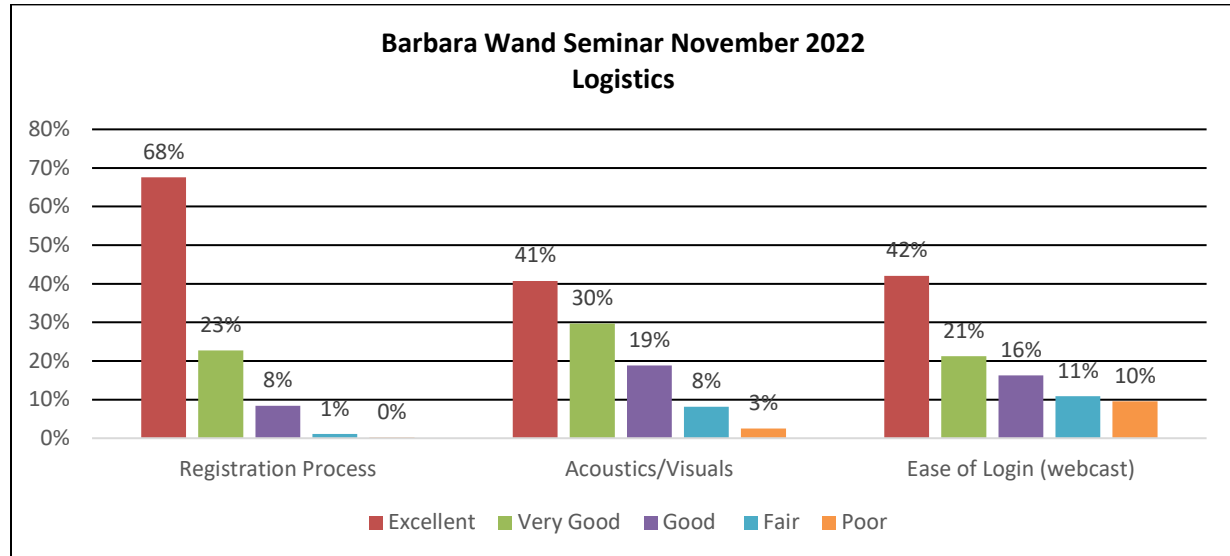
The evaluation of the Seminar was completed on-line by 545 (16%) of the participants. When asked whether they found the presentations to be “Informative and Interesting”, 68% of respondents reported that the Seminar was *Excellent, Very Good or Good*.



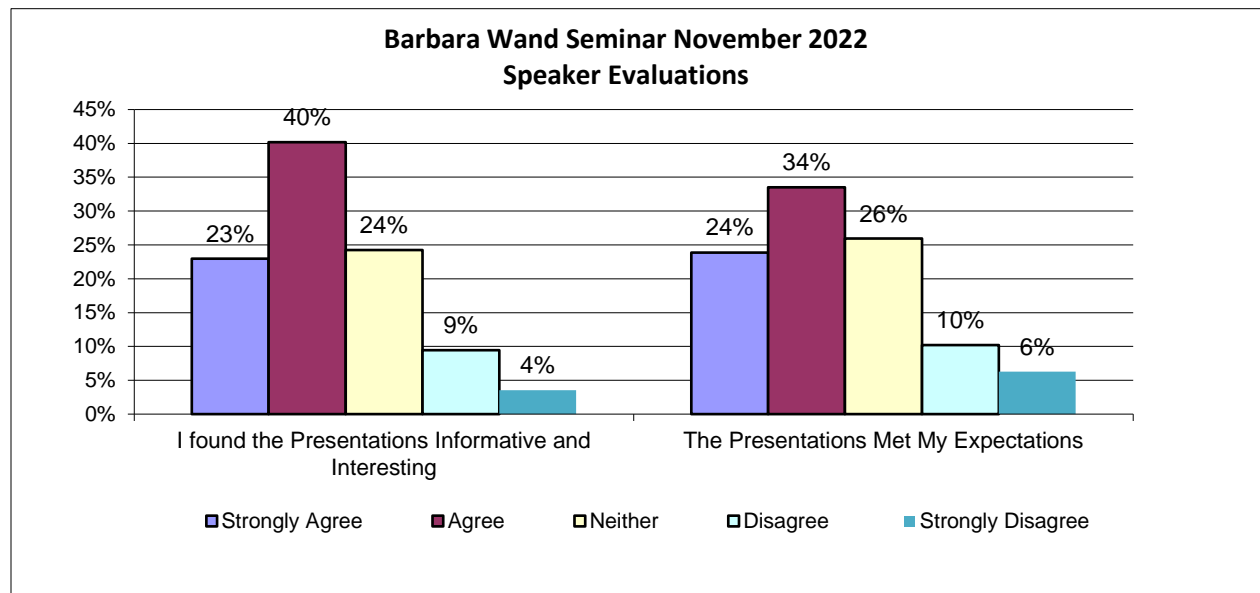
When asked about the length of the Seminar, 54% of respondents indicated that they found it to be *Just Right*. A significant number believed that it was longer than they would have liked.



The majority of members rated the registration process and webinar logistics as *Excellent, Very Good or Good*.



Most attendees found the workshop to be informative and interesting and to have met their expectations. A significant number did, however, express some dissatisfaction. Recurring comments by those who were critical of the Seminar content were mostly focused on a perceived lack of practical application and ideological and overly theoretical content. There was also some concern raised about the utility and operational challenges related to the use of breakout rooms.



Respectfully submitted,
 Barry Gang, MBA, Dip.C.S., C.Psych.Assoc.
 Deputy Registrar & Director, Professional Affairs

STRATEGIC DIRECTION 2017-2022

2022.04.05A

VISION *[What we aspire to be]*

The College strives for excellence in self-regulation in service of the public interest.

MISSION *[Why we exist]*

To regulate the practice of psychology in serving and protecting the public interest

STRATEGIES *[How we accomplish our Mission]*

In accomplishing our Mission, the College promotes excellence in the practice of psychology by:

- Enforcing standards fairly and effectively through:
 - Developing, establishing, and maintaining standards of qualifications for individuals seeking registration,
 - Developing, establishing, and maintaining standards of practice and professional ethics for all members,
 - Developing, establishing, and maintaining standards of knowledge and skill and programs to promote continuing evaluation, competence, and improvement among members;
- Communicating clearly and effectively with stakeholders, particularly applicants, members, and the public;
- Supporting and assisting members to meet high standards;
- Responding to changing needs in new and emerging practice areas;
- Collaborating in shaping the regulatory environment;
- Acting in a responsibly transparent manner; and,
- Advancing the Council's governance practices.

VALUES *[What we uphold in all our activities]*

Fairness

The College approaches decisions in a just, reasonable, and impartial manner.

Accountability

The College acts in an open, transparent, and responsible manner and communicates about its processes.

Integrity

The College acts honestly, ethically, and responsibly.

Respect

The College treats members of the public, members of the College, prospective members, and other stakeholders with respect.

IMPLEMENTATION CHART - UPDATED NOVEMBER 24, 2022

Agenda Key	MISSION: To regulate the practice of psychology in serving and protecting the public interest by:	Current/Recent Examples	In Development/Proposed Examples
M1	<ul style="list-style-type: none"> • Enforcing standards fairly and effectively through: <ul style="list-style-type: none"> – Developing, establishing, and maintaining standards of qualifications for individuals seeking registration, 	<ul style="list-style-type: none"> • Revised the manner for recording Oral Exam results when not all areas of practice/client groups are authorized (September 2016) • Issuance of IAP Certificate for temporary and limited practice by practitioners registered in other jurisdictions (June 2019) • Setting the JEE pass point to Ontario first time test takers. (December 2019) • Amendments to the <i>Guidelines for Completing the Declaration of Competence</i> (December 2019) • Amendments to the Guidelines for Retraining for Supervised Practice (March 2020) • Supervision Resource Manual Working Group formed (September 2020) • Transitioning to Online Administration of the JEE (November 2020) • <i>Supervision Resource Manual for Registration, Third Edition, 2022 (September 2022)</i> 	<ul style="list-style-type: none"> • Pursue amendments to O.Reg. 74/15 under the Psychology Act, 1991 to discontinue Master’s level registration and at that time, grant the title Psychologist to all existing Psychological Associates. (September 2019) • Project Researcher hired, to begin in fall 2022, to develop a report to further Council’s decisions to discontinue Master’s level registration (June 2022) • Establish a process to assess all CFTA candidates on their competence to perform the controlled act of communication of a diagnosis. (December 2020)
M2	<ul style="list-style-type: none"> • Enforcing standards fairly and effectively through: <ul style="list-style-type: none"> – Developing, establishing, and maintaining standards of practice and professional ethics for all members, 	<ul style="list-style-type: none"> • Review of Standards of Professional Conduct (Fall 2016) • Adoption of new <i>Standards of Professional Conduct</i>, to go into effect September 1, 2017 (March 2017) • Implementation of the ICRC Risk Rubric (August 2017) 	

		<ul style="list-style-type: none"> • Update to the <i>Standards of Professional Conduct, 2017</i> with regards to the language of clinical records (March 2021) • <i>Standards of Professional Conduct, 2017</i> updated with gender neutral language (March 2021) 	
M3	<ul style="list-style-type: none"> • Enforcing standards fairly and effectively through: <ul style="list-style-type: none"> – Developing, establishing, and maintaining standards of knowledge and skill and programs to promote continuing evaluation, competence, and improvement among members 	<ul style="list-style-type: none"> • Quality Assurance Committee began auditing CPD forms. (Fall 2019) 	
M4	<ul style="list-style-type: none"> • Communicating clearly and effectively with stakeholders, particularly applicants, members, and the public 	<ul style="list-style-type: none"> • Publication of quarterly <i>e-Bulletin</i> • Staff presentations to students and member groups (ongoing) • Strategic Direction 2017 – 2022 to members • Executive Committee Reception with London members (May 2017) • Executive Committee Reception with Guelph members (November 2017) • Proposed Policy II-3(iii) Appearance before a panel of the ICRC to be Cautioned (December 2017) • College Communications Plan (March 2018) • Executive Committee Reception with Kingston Members (May 2018) • Use of Title Consultation (February 2019) • Executive Committee Reception with Thunder Bay members (May 2019) • Executive Committee Reception with Hamilton members (November 2019) • New College Logo, as part of Communications Plan, Approved (December 2019) 	

		<ul style="list-style-type: none"> • Launch of new quarterly newsletter, <i>HeadLines</i> (July 2020) • Launch of new Website (August 2020) • Launch of Social Media (October 2020) • Approval of support for victims of sexual abuse and misconduct to be implemented January 1, 2021 (September 2020) • COVID-19 Updates (Spring 2020) and ongoing • Work with Ministry of Health and local Public Health Units in member vaccine notification (Spring 2021 and ongoing) • Encourage engagement with ONTABA and the ABA community through sharing of updates and invitation to join College notifications subscribers' list 	
M5	<ul style="list-style-type: none"> • Supporting and assisting members to meet high standards 	<ul style="list-style-type: none"> • Practice Advice Service (ongoing) • Barbara Wand Symposium (December 2016) • Revision of the <i>Self-Assessment Guide and Professional Development Plan</i> (May 2017) • Continuing Professional Development (CPD) Program Implemented • Examination and Corporation Fee reduced (June 2017) • Practical Applications within new <i>Standards</i> to be continuously updated (June 2017) • Barbara Wand Symposium in Ottawa (June 2017) • Updated Policy II-3(ii) Release of the Member's Response to the Complainant (June 2017) 	<ul style="list-style-type: none"> •

		<ul style="list-style-type: none"> • Frequently Ask Questions for the new <i>Standards</i> and CPD Program continuously updated (August 2017) • Barbara Wand Seminar (January 2018) • Barbara Wand Seminar (June 2018) • Peer Assisted Reviewer Training (November 2018) • French Language translations of new <i>Standards</i> completed (November 2018) • Barbara Wand Seminar (January 2019) • Guidelines for CPD published in <i>e-Bulletin</i> (January 2019) • Release of new materials for the prevention of boundary violations and sexual abuse, including discussion guide. • Barbara Wand Seminar (June 2019) • Peer Assisted Reviewer Training (November 2019) • Barbara Wand Seminar (December 2019) • Barbara Wand Seminar (September 2020) • Barbara Wand Seminar (June 2021) • Barbara Wand Seminar (January 2022) • Barbara Wand Seminar (November 2022) 	
M6	<ul style="list-style-type: none"> • Responding to changing needs in new and emerging practice areas 	<ul style="list-style-type: none"> • New technological standard within the revised <i>Standards of Professional Conduct 2017</i> • Equity, Diversity, and Inclusion Working Group formed (October 2020) 	
M7	<ul style="list-style-type: none"> • Collaborating in shaping the regulatory environment 	<ul style="list-style-type: none"> • Participation in ASPPB, ACPRO, FHRCO • College participation in inter-College Psychotherapy Working Group • FHRCO Sexual Abuse Prevention Task Force Chaired by Deputy Registrar (2016-2017) 	

		<ul style="list-style-type: none"> • College participation in FHRCO discussions regarding Bill 87 (transparency and other changes to the RHPA) • College Council responded to the Standing Committee on Bill 87 (March 2017) • Submission to HPRAC, re: Psychotherapy (October 2017) • Submission to MOHLTC on regulation amendments in the Health Professions Procedural Code (March 2018) • Submission to Ontario Regulation Registry on Psychotherapy (June 2018) • Confirmation to Pursue Regulation of ABA (September 2019) • Discussions with the MOH and MCCSS regarding regulation of ABA (November 2017) • Applied Behaviour Analysis Working Group Formed (December 2020) • Applied Behaviour Analysis Working Group formed (December 2020) • College Performance Measurement Framework submitted/posted (March 2021) • Council Composition recommendation provided to the Ministry of Health for the regulation of ABA (March 19, 2021) • College Performance Measurement Framework submitted/posted (March 2022) • Two transitional non-voting Behaviour Analysts appointed to the Council effective at the June Council meeting (May 2022) • Submission to the Ministry of Health regarding Bill 106 (June 2022) 	
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		<ul style="list-style-type: none"> • Consultation on ABA distributed (October 2022) 	
M8	<ul style="list-style-type: none"> • Acting in a responsibly transparent manner 	<ul style="list-style-type: none"> • Posting of Council materials on website in advance of meetings (June 2016) • Council and Executive to declare Conflicts of Interest at start of each meeting (June 2017) • Amendments to <i>By-law 18: Fees</i> (December 2017) • Amendments to <i>By-law 25: The Register and Related Matters</i> (June 2018) • Amendments to <i>By-law 5: Selection of Committee Chairs and Committee Members</i> and <i>By-law 21: Committee Composition</i> (September 2018) • Consultation on <i>By-Law 18: Fees</i> (June 2019) • Process implemented for temporary practice in Ontario with existing clients by registrants from other jurisdictions • Amendments to <i>By-Law 18: Fees</i> (September 2019) • Amendments to <i>By-Law 5 and 20</i> (March 2022) 	
M9	<ul style="list-style-type: none"> • Advancing the Council's governance practices 	<ul style="list-style-type: none"> • New Briefing Note format for Council materials • March 2017 Council Training Day • Revision to Role of the Executive Committee • Agenda to Reflect Strategic Direction of Item • Introduction of Board Self-Assessment process (June 2017) • Amendments to <i>By-law 20: Elections to Council. . .</i> (December 2017) 	

		<ul style="list-style-type: none"> • Two Committee Audits Planned for 2017-2018 • HIROC Risk Management System implemented (September 2017) • Sunsetting of Nominations and Leadership Development Committee; role incorporated into the Executive Committee (September 2020) • Expansion of Funding for Therapy Eligibility (June 2021) • Equity, Diversity and Inclusion Training for Council, Committees Members and Staff (December 2021) 	
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Notes: Some items could be entered in more than one place. When an item could belong to more than one area, it has been placed in the primary category. **The items shown in BLUE have been added by the Registrar since September 2022 as activities undertaken in service of the College’s Strategic Directions 2017 - 2022**