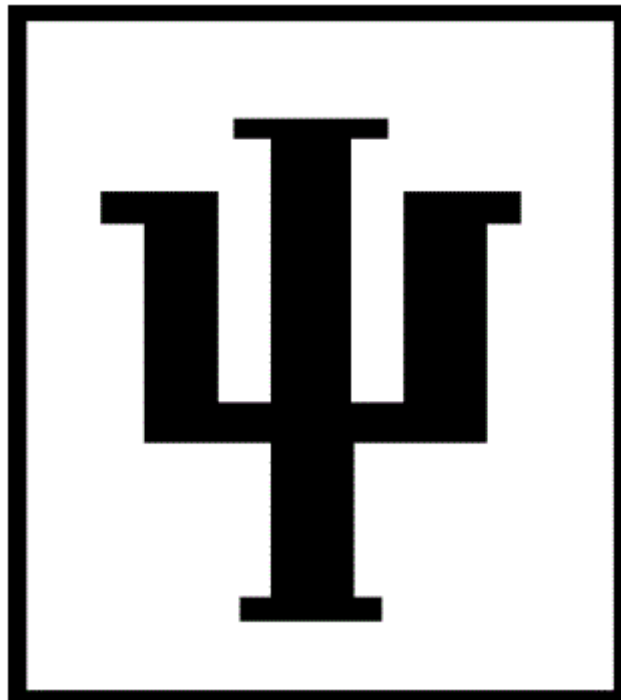


THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

**PUBLIC AND OBSERVERS
MEETING MATERIALS**

**College Council
September 30, 2016
2016.03
Posted: September 26, 2016**



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**Council Meeting
2016.03**

**September 30, 2016
9:00 AM to 4:00 PM**

Draft Agenda (prepared September 26, 2016)

2016.03.00		Call to Order		Pg#
2016.03.01		Approval of the Agenda	Attached	01
	.01a	Approval of the Agenda	Attached	01
	.01b	Approval of Minutes: (1) DRAFT Minutes of Council Meeting 2016.02 June 17, 2016 (1a) Review of Action List	Attached Attached	03 16
2016.03.02		Consent Agenda items		
	.02a	President's Report		
		(1) President's Report to Council	Attached	17
	.02b	Registrar's Report		
		(1) Registrar's Report	Attached	18
		(2) Financial Report		
		(a) Financial Statements to May 31, 2016 – Narrative <input checked="" type="checkbox"/>	Attached	20
		(b) Balance Sheet as of May 31, 2016 (Unaudited)	Attached	28
		(c) Investment Report to May 31, 2016 <input checked="" type="checkbox"/>	Attached	29
		(4) Staff Presentations	Attached	32
	.02c	Committee Reports/Liaison Meetings		
		(1) Executive Committee	Attached	33
		(2) Registration Committee	Attached	34
		(3) Discipline Committee	Attached	36
		(4) Inquiries, Complaints and Reports Committee (ICRC)	Attached	37
		(5) Quality Assurance Committee	No Report	
		(6) Client Relations Committee	No Report	
2016.03.03		Strategic Issues		
	.03a	Strategic Direction Implementation: Update	Attached	43
2016.03.04		Policy Issues		
	.04a	Motion to Circulate: Standards of Professional Conduct Review	Attached	48
	.04b	Motion: Transparency Initiatives Consultation; Proposed Amendments to <i>By-Law 25: The Register and Related Matters</i>	Attached	77
	.04c	Motion: <i>Proposed Amendments to By-Law 5: Selection of Committee Chairs and Committee Members</i>	Attached	87
	.04d	Motion: Additional Changes to By-Law 20 - Election to Council	Attached	89
	.04e	Motion: Psychotherapy Clarification Document	Attached	98
	.04f	Format of Limitations to Registration Certificate	Attached	104

2015.01.04		Policy Issues (cont'd)		
	.04g	Motion: Examination Accommodation Policy	Attached	108
	.04h	Motion: Language Fluency Policy	Attached	126
2016.03.05		Business Issues		
	.05a	Annual Reports from Committees: (1) Registration Committee (2) Discipline Committee (3) Inquiries, Complaints and Reports Committee (ICRC) (4) Quality Assurance Committee (5) Client Relations Committee (6) Fitness to Practice Committee (7) Jurisprudence and Ethics Examination: Final Report 2015-2016 (8) Executive Committee (9) Council	Attached Attached Attached Attached Attached Attached Attached Attached Attached	130 135 136 139 141 142 143 149 150
	.05b	Financial: (1) Variance Report to May 31, 2016 ☒ (2) Statement of Revenue and Expenses to May 31, 2016 (3) Audit 2015-2016 (a) Audited Financial Statements Year-Ending May 31, 2016 - Presentation of Audited Financial Statements by Ms. Liana Bell and Mr. Deric Chan, Clarke Henning LLP 9:30AM ☒ (b) Audited Financial Statement Summary i. Motion to Accept Audited Financial Statement ii. Motion to Appoint Auditors for 2016-2017 (4) FAC Report and Recommendations i. Change in Level of Materiality for variance Reporting ii. Change to Fees Bylaw for Circulation iii. Movement of Funds into Premise Reserve Fund	Attached Attached Attached Attached Attached Attached Attached Attached Attached Attached	152 155 156 172 173 174 175 176 177 182
2016.03.06		Other Business		
	.06a	Dates for Council meetings (a) Confirmed Council Meetings: <ul style="list-style-type: none"> • Friday December 2, 2016 • Friday March 24, 2017 • Council Training Day Thursday March 23, 2017 (b) Proposed Dates for Council meeting: <ul style="list-style-type: none"> • Friday June 2, 2017 or • Friday June 23, 2017 		
2016.03.07		Adjournment		

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COUNCIL MEETING
2016.02
June 17, 2016

PRESENT:

- Ruth Berman, Ph.D., C.Psych.
- Kristin Bisbee, Public Member
- Judy Cohen, Public Member
- Dorothy Cotton, Ph.D., C.Psych.
- D’Arcy Delamere, Public Member
- Lynette Eulette, Ph.D., C.Psych.
- Robert Gauthier, M.Sc., M. Ed, C.Psych.Assoc.
- Michael Grand, Ph.D., C.Psych.
- Jaffar Mohammad Hayat, Public Member
- Gilles Hebert, Ph.D., C.Psych.
- Elizabeth Levin, Ph.D., C.Psych.
- Peter McKegney, Public Member
- Donna McNicol, Public member
- Denise Milovan, Ph.D., C.Psych.
- Patricia Minnes, Ph.D., C.Psych. (by teleconference)
- Ethel Teitelbaum, Public Member
- Glenn Webster, M.Ed., C.Psych.Assoc.

Regrets:

- Astra Josie Rose, Public Member

Staff:

- Rick Morris, Ph.D., C.Psych., Registrar & Executive Director:
- Barry Gang, MBA, Dip.C.S., C.Psych.Assoc., Director: Professional Affairs
- Lesia Mackanyn, Director, Registration
- Zimra Yetnikoff, Director, Investigations & Hearings
- Stephanie Morton, Manager: Administration
- Caitlin O’Kelly, Administrative Assistant: Member Services
- Prema Shankaran, Assistant to the Registrar, Recorder

2016.02.00

Call to Order

- .00a The Registrar called the meeting to order at 9:01AM.
- .00b Election of Executive Committee
- The first order of business was the election of the Executive Committee. The Registrar confirmed that Council Members had

47 received the *Statements of Interest* submitted by members wishing
48 to stand for election for the following positions on the Executive
49 Committee:

- 50 • President
- 51 • Two Professional Member positions
- 52 • One Public Member position

53
54 The three individuals running for the position of President
55 responded to questions posed by the other Council members. The
56 Registrar conducted elections for the position of President assisted
57 by Mr. Glenn Webster, non-voting Council member.

58
59 The Registrar announced that Dr. Lynette Eulette was elected as
60 President for the 2016-2017 year.

61
62 There were no candidates for the position of the Vice-President
63 received prior to the meeting. The Registrar called for nominations
64 or expression of interest from the floor. Dr. Ruth Berman and Dr.
65 Elizabeth Levin expressed interest in running for the position. Dr.
66 Ruth Berman was elected Vice-President.

67
68 Dr. Gilles Hebert had submitted his expression of interest in one of
69 the Professional Member seats. He was acclaimed to this position.

70
71 Mr. Robert Gauthier was acclaimed to the other Professional
72 Member seat. Given the requirement that the Executive Committee
73 have representation by a Psychological Associate, Mr. Gauthier, as
74 the only Psychological Associate member on Council, must occupy
75 this seat.

76
77 Since only Ms. Judy Cohen has submitted an expression of interest
78 for one of the two Public Member positions on the Executive
79 Committee, the Registrar called for nominations for the second
80 Public Member seat. Mr. Peter McKegney agreed to accept the
81 nomination. Ms. Cohen and Mr. McKegney were acclaimed as the
82 Public Members on the Executive Committee.

83
84 **The Executive Committee for 2016-2017 is:**
85 **Lynette Eulette, Ph.D., C.Psych., President**
86 **Ruth Berman, Ph.D., C.Psych., Vice-President**
87 **Gilles Hebert, Ph.D., C.Psych., Professional Member**
88 **Robert Gauthier, M.Sc., M.Ed., C. Psych.Assoc.,**
89 **Professional Member**
90 **Judy Cohen, Public Member**
91 **Peter McKegney, Public Member**
92

The Registrar congratulated the new Executive Committee and requested the President, Dr. Lynette Eulette, take the Chair and conduct the proceedings of Council.

**It was MOVED Teitelbaum
That the ballots used in the election be destroyed.**

CARRIED

2016.02.01

Approval of the agenda:

The following changes were made to the agenda:

Moved:

.02b(1) Council Orientation Refresher to .01c

Added:

.05d Decreased Availability of Psychological Associates on Council

.05e Tablets or Other Electronic Devices for Council Members

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

CARRIED

.01b Minutes:

(1) Minutes of the Open Meeting at the Council meeting 2016.01 on April 1, 2016

**It was MOVED Cohen
That the minutes of the Open Meeting at the Council Meeting 2016.01 on April 1, 2016 be approved as presented.**

CARRIED

Business Arising from the Minutes:

The Council had been asked to provide comment or concerns to the Registrar regarding the Shaping the Future consultation to be held with MOHLTC. To facilitate such actions in future, Council asked that the Action List be circulated well in advance of the next meeting and prior to when the Minutes are distributed so that Council can respond as needed.

Action Item Staff

to circulate the Action List from the meeting well in advance of the next Council meeting.

Review of Action List

The Council reviewed the Action List and noted items that were completed or on the agenda at this meeting.

140 The Council discussed the following Action Items:

141
142 **Action Item Executive Committee**
143 **to provide to Council proposed amendments to the Role and Function of**
144 **the Executive Committee including Regulatory Policy Development**
145

146 The Council noted that this item is ongoing and will be discussed at
147 the summer meeting of the Executive Committee.

148
149 **Action Item Staff To delete Budget Lines and Sections that are no longer required**
150

151 The Registrar informed the Council that this would be done for the
152 upcoming fiscal year.

153
154 (2) Minutes of the **IN CAMERA** meeting at the Council Meeting
155 2016.01 on April 1, 2016

156
157 **It was MOVED McKegney**
158 **That the minutes of the IN CAMERA meeting at the Council**
159 **meeting 2016.01 on April 1, 2016 be approved as presented.**
160 **CARRIED**
161

162 .01c Council Orientation/Refresher
163 This item was moved from the Consent Agenda.

164
165 The Council discussed the following:

166
167 Objects of the College:
168 In answer to an inquiry, the Registrar noted that, at this time, the
169 Funding for Therapy and Counselling Program was the only
170 Program which would be included in "Programs to assist individuals
171 to exercise their rights under the RHPA".

172
173 Oral Examinations:
174 A question was raised regarding Registration Committee members
175 participating as Oral Examiners. The Registrar explained that the
176 Registration Committee had decided a couple of years ago that
177 Committee members should not serve as Oral Examiners. This
178 was changed this year however and Committee members were
179 permitted to participate as Oral Examiners. It was expected that
180 Committee members would recuse themselves in case of a Conflict
181 of Interest.

182
183 **2016.02.02 Consent Agenda items**
184

185 **It was MOVED Cotton**
186 **That the Consent Agenda be approved as amended.**
187 **CARRIED**

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2016.02.03

Strategic Issues

.03a Strategic Direction Implementation: Update
The Council reviewed the updated Strategic Direction Implementation Chart. The Chart presents the list of examples of completed College activities, proposed or in development tasks with respect to each of the six Mission Statements.

The Council agreed that adding dates to the items completed makes this document a historic record.

The Council suggested adding the following:

To add:

- Posting Council materials on the website under *Communicating clearly and effectively*. . .
- Adoption of the revised Definition of Counseling Psychology under *Responding to changing needs*. . .

The Executive Committee will discuss planning for the Strategic Direction 2016-2021 at their summer meeting.

2016.02.04

Policy issues

.04a Shaping the Future: Implementation Plan
At the meeting on April 1, 2016, Council directed the Registrar to meet with the Ministry of Health and Long-Term Care to discuss the College's proposed *Shaping the Future: Implementation Plan*.

The Registrar reported that he met with Ms. Allison Henry, Director (Acting) - Health System Labour Relations and Regulatory Policy Branch and Mr. Doug Ross, Senior Policy Analyst - Regulatory Policy Unit on May 17, 2016. Ms. Henry had met with the Council at the Council training session on March 31, 2016.

Ms. Henry suggested that the College not develop a full Registration Regulation Amendment submission at this time, but rather write a short Briefing Note. The Note should detail what the College is proposing, the rationale for this, and what the College hopes to accomplish with the suggested changes. She indicated she could then consult with other relevant Ministries such as Training, Colleges and Universities and Education as well as staff involved in federal/provincial/territorial Labour Mobility and the Office of the Fairness Commission. The feedback from these consultations would inform the College on its next steps.

233 In response to a question, the Registrar noted that timelines are
 234 very difficult to predict. The Registrar will provide an update to
 235 Council in September 2016.

236
 237 **Action Item RM** **to provide an update to the Council meeting on September 30, 2016 on the**
 238 ***Shaping the Future: Implementation Plan***
 239

240 The Ministry staff suggested that the Briefing Note be brief, two to
 241 three pages. The Council agreed that the other Ministries who see
 242 only the Briefing Note may not be familiar with the College's overall
 243 Implementation Plan. It was suggested that in the cover memo the
 244 College indicate its willingness to meet with representatives from
 245 the other Ministries, as necessary. The Council considered
 246 whether to consult with a government relations consultant or with
 247 other Colleges to find out if they have had to develop a similar
 248 Briefing Note and if they used any consultants.
 249

250 **Action Item RM** **to consult with MOHLTC to find out if any other Colleges have developed a**
 251 **similar Briefing Note**
 252

253 The Council raised the concern that it could take a long time for the
 254 College to get a response from the Ministry. This led to the
 255 suggestion that Council reconsider separating the matter of title
 256 from the issue of cessation of the master's level registration. The
 257 possibility for more confusion among the public was raised given
 258 there are now three categories of practitioners providing
 259 psychological services: Doctoral level Psychologists, Masters level
 260 Psychologists and Psychological Associates.
 261

262
 263 .04b Proposed Amendments to *By-Law 20: Elections to Council*
 264 The Council received proposed amendments to *By-Law 20:*
 265 *Elections to Council*. The amendments included revised criteria for
 266 appointment of academic members, changes to the process for
 267 opting into Electoral District 7 (Psychological Associates), and
 268 housekeeping amendments related to the use of the online
 269 nominations and balloting process.
 270

271 With regard to the criteria for appointment of academic members,
 272 after much discussion, 20.8(1)(c) was amended to read:

273 *Despite paragraph (a), at any given time, members appointed to*
 274 *the Council may:*

275 *i. Have retired within the previous two years and have maintained*
 276 *contact with the training program through clinical or research*
 277 *supervision or participation in other ongoing activities of the*
 278 *training program; or,*

- ii. *Hold an adjunct appointment as a faculty member in a CPA accredited or equivalent program in a department of psychology of a degree granting institution in Ontario which grants graduate level degrees in psychology and have maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program.*

**It was MOVED Minnes
That the proposed amendments to By-Law 20: Elections to
Council be approved for circulation to the membership
CARRIED**

- .04c Posting Discipline Decisions on CanLII
The Council received information regarding the Federation of Health Regulatory Colleges of Ontario (FHRCO) position encouraging Health Regulatory Colleges to post Discipline Committee Decisions on the website of the Canadian Legal Information Institute (CanLII).

Council was provided with a memo written by the Deputy Registrar when he was Director: Investigations and Hearings which discussed this proposal. Included with the memo was: materials from the FHRCO Discipline Orientation Committee Meeting of November 2015, with details of which Boards and tribunals currently post on CanLII, and the Motion approved by the FHRCO Board of Directors; the *About CanLII* fact sheet; and, a sample of a College of Physicians and Surgeons of Ontario (CPSO) CanLII posting.

The Registrar noted that there is no requirement in legislation or in the College By-Laws for the College to post Discipline decisions anywhere other than the College's Public Register and in the Annual Report. These publications include the name of the member involved. The College would only post to CanLII decisions that have already been posted on the College's Public Register. CanLII requires that full decisions and reasons be posted therefore if the College has a summary only on the Public Register, this matter would not be posted. In addition, should redaction of personal information be required, CanLII has a format for this. Posting on CanLII adds an extra level of transparency to the College's transparency initiatives.

The Council suggested that a policy be developed on what the College would post on CanLII.

325 **It was MOVED McKegney**
 326 **That the College of Psychologists begin to post discipline**
 327 **decisions on CANLII; the information being consistent with**
 328 **what is posted on the College website.**

329 **CARRIED**
 330 **Teitelbaum OPPOSED**

331
 332 .04d Psychotherapy as a Controlled Act - Update
 333 In December 2015, a consortium of College representatives
 334 provided a document to the Ministry of Health and Long-Term Care
 335 which had been requested to clarify the definition of the controlled
 336 act of psychotherapy. The Registrar is a member of the Working
 337 Group that developed the document. The Ministry responded to the
 338 report on April 20, 2016 asking that the Working Group provide
 339 further clarification with examples of practical applications of the
 340 controlled act.

341
 342 The Working Group met on June 7, 2016 to respond to the
 343 Ministry's questions and to modify the original document. A second,
 344 plain language document is also being proposed to provide
 345 additional information.

346
 347 The Working Group hopes to submit the revised documents to the
 348 Ministry in the summer and after approval by the Ministry, the
 349 documents will be provided to the Executive Committees of the
 350 Colleges to review and to bring forward to their respective College
 351 Councils for approval by the fall.

352
 353 **2016.02.05 Business Issues**

354 .05a Financial:
 355 (1) Variance Report to March 31, 2016

356
 357 The Council received the Variance Report to March 31, 2016 along
 358 with the narrative for items that are projected to exceed the
 359 budgeted amount by more than \$2,000. Based on the unaudited
 360 figures to the end of 10 months of the fiscal year, the College is
 361 expected to finish the year with a surplus of \$24,600, much more
 362 positive than the deficit of \$185,000 approved in the 2015-2016
 363 budget. The Registrar reported that the items that are over budget
 364 are very similar to the items previously reported to November 30,
 365 2015.

366
 367 A question was raised as to whether it would be possible to better
 368 anticipate some of the expenses that are over budget. The
 369 Registrar noted that many of the expenses are very difficult to
 370 predict as they can be quite variable from year to year. For

371 example, legal expenses for reviews by the Health Professions
372 Appeal and Review Board (HPARB) for Registration and ICRC as
373 well as potential discipline hearing costs, and funding for therapy
374 are quite variable. In addition, since the budget is prepared in
375 January of each year and Committee appointments are made in
376 June it is difficult to predict Committee travel and accommodation
377 costs as these vary greatly depending on the number of Committee
378 members from outside of the GTA.

379
380 **It was MOVED Cotton**
381 **That the Variance Report to March 31, 2016 be accepted.**
382 **CARRIED**

383
384 (2) Statement of Revenue and Expenses to March 31, 2016.

385
386 **It was MOVED Levin**
387 **That the Statement of Revenue and Expenses to March 31,**
388 **2016 be accepted.**
389 **CARRIED**

390
391 (3) Report from the Finance and Audit Committee (FAC)
392 The Council received a report from the Finance and Audit
393 Committee.

394
395 **It was MOVED Cotton**
396 **That the report from the Finance and Audit Committee be**
397 **received.**
398 **CARRIED**

399
400 (4) Appointment of Signing Officers

401
402 **It was MOVED Cohen**
403 **That the President Dr. Lynette Eulette, the Vice-President**
404 **Dr. Ruth Berman and Dr. Denise Milovan be appointed as**
405 **Signing Officers for the year 2016-2017.**
406 **CARRIED**

407
408 Since both Dr. Berman and Dr. Milovan are from Toronto, the
409 services of Mr. Robert Gauthier, as a Signing Officer, are not
410 required this year.

411
412 .05b Proposed Revisions to the Succession Plan for the Position of
413 Registrar/Executive Director

414
415 The Council received a copy of the draft revised College
416 Succession Plan with revisions proposed by the Committee that

417 was involved in the search for the Registrar & Executive Director in
 418 2015.

420 **It was MOVED Berman**

421 **That the proposed amendments to the Succession Plan for the**
 422 **position of Registrar/Executive Director be approved.**

423 **CARRIED**

- 424
- 425 .05c Report from the meeting of the Association of Canadian
 426 Psychology Regulatory Organizations (ACPRO)
 427 The Council received an oral report from the Registrar on the
 428 meeting of the Association of Canadian Psychology Regulatory
 429 Organizations (ACPRO) held in Victoria, B.C. on June 11-12, 2016.
- 430 1. Work Force Data: What and How to Collect
 - 431 • ACPRO recognizes that it would be useful to have a pan-
 432 Canadian database of “Workforce Data” for planning. This
 433 could answer questions from government regarding the
 434 profession and also provide information for training programs
 435 regarding needs. Examples of information to be collected
 436 include:
 - 437 – How many psychological service providers;
 - 438 – Located where; providing what services; and, to whom?
 - 439 – Age and retirement trends
 - 440 • Ontario already collects much of the data being considered;
 441 ACPRO needs to address issues such as: how to collect this
 442 information country wide; where to store it; who will have
 443 access to it, etc.
 - 444 2. Regulatory Issues Regarding Medical Assistance in Dying
 445 (MAID)
 - 446 • A working group was established to coordinate some expert
 447 opinions on possible regulatory issues and guidelines to be
 448 provided to members. A consistent message from all
 449 regulators was seen to be important.
 - 450 3. Distinction between “Complaints” and “Concerns”; implications
 451 for movement across jurisdictions
 - 452 • It was noted that there is variability across jurisdictions
 453 regarding what is considered a “concern” when raised about
 454 a member and when this becomes a “complaint”. This
 455 becomes an issue when information is exchanged by
 456 jurisdictions about a member’s standing. Some jurisdictions
 457 note “concerns”, some only report on those matters that are
 458 formal “complaints”; while others wait for a discipline
 459 outcome before noting there has been a “complaint”.
 460
 461

462 Definitions are to be collected with effort toward arriving at
463 some consistency.

464
465 4. Transparency? What is available to the public on our websites
466 • This issue was raised by the Registrar describing the current
467 Ontario experience. There seemed to be no other
468 jurisdiction in which there is a governmental move in this
469 direction as yet.

470
471 5. Elections: Chair
472 • The Registrar reported that after 11 years of chairing the
473 Regulators group, which included facilitating the formal
474 establishment of ACPRO, he has stepped down as Chair.
475 The new Chair is Ms. Karen Messer-Engel, Registrar from
476 the Saskatchewan College of Psychologists. Mr. McKegey
477 acknowledged the Registrar's active involvement and
478 exceptional contribution to ACPRO.

479
480 .05d Decreasing availability of Psychological Associates for Committee
481 Appointments
482 In reviewing expressions of interest in serving on Committees for
483 the year 2016-2017, the Nominations and Leadership Development
484 Committee noted that the number of Psychological Associates
485 available for serving on Committees is decreasing. *By-Law 5:*
486 *Selection of Committee Chairs and Committee Members* specifies
487 that both Psychologists and Psychological Associates are to be
488 represented on all Statutory Committees [5.11].

489
490 The Council noted that many former Psychological Associate
491 members have registered as Masters level Psychologists and so
492 are not eligible to sit on Committees as Psychological Associates
493 under the current By-Laws. The Council suggested consideration
494 be given to amending the By-Law to specify Masters level
495 practitioner rather than Psychological Associate.

496
497 **Action Item Executive Committee**
498 **to review *By-Law 5: Selection of Committee Chairs and Committee***
499 ***Members* to consider requiring that a Masters level practitioner, rather than**
500 **a Psychological Associate, must be represented on all Statutory**
501 **Committees.**

502
503
504 In discussing the representation by Psychological Associates,
505 Council agreed that the non-voting Psychological Associate seat on
506 Council requires re-examination and clarification. It was noted that
507 while this is an elected position, for purposes of Committee
508 appointments, the individual has been considered as a College

509 member and not a member of Council. The Registrar will seek a
510 legal opinion on the status of the position on the Council.

511
512 **Action Item RM to get legal advice on the position of the non-voting Psychological**
513 **Associate on Council**

514
515 The Council directed that the Executive Committee discuss the
516 issue at their meeting in August 2016. The Registrar suggested
517 although *By-Law 20: Elections to Council* was approved for
518 circulation to the membership earlier in the meeting, it may be best
519 to wait to circulate this By-Law if it was going to be amended again
520 at the Council meeting in September 2016.

521
522 **Action Item Executive Committee to review Council non-voting Psychological Associate on Council**
523

524
525 .05e Tablets or Other Electronic Devices for Council Members
526 The Council discussed whether Council members should be
527 provided with a tablet or other electronic device for use for Council
528 and other Committee business. The College is implementing
529 SharePoint which will permit Council members to securely access
530 materials. The question to be considered is whether this should be
531 done on personal or College supplied devices.

532
533 The Registrar suggested that the Executive Committee discuss the
534 policy regarding use of electronic devices supplied by the College.

535
536 **Action Item Executive Committee to discuss the provision and use of electronic devices supplied by the**
537 **College.**
538

539
540 **Action Item Staff to get information on suitable devices**
541

542
543 **2016.02.06 Other Business**

544 .06a (1) Dates of the next Council meetings
545 The Council noted the following confirmed dates for Council
546 meetings:

- 547 • Friday September 30, 2016
- 548 • Friday December 2, 2016

549
550 Council Training:
551 • September 29, 2016

552
553 (2) Proposed dates for Council Training and Meeting in March 2017
554 The Council confirmed the following dates:

- 555 • Council Training Thursday March 23, 2017
- 556 • Council Meeting Friday March 24, 2017

557 **2016.02.07**

Adjournment

558

There being no further business

559

560

561

It was MOVED McKegney

562

That the Council meeting be adjourned.

563

CARRIED

564

565

The Council meeting was adjourned at 2:25 PM.

566

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Lynette Eulette, Ph.D., C.Psych., President

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Ruth Berman, Ph.D., C.Psych., Vice-President

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Minutes approved at the Council meeting on September 30, 2016

**ACTION LIST
COUNCIL MEETING
2016.02
June 17, 2016**

- Action Item Staff** to circulate the Action List from the meeting well in advance of the next Council meeting. **(Status: Continuing)**
- Action Item Executive Committee** to provide to Council proposed amendments to the Role and Function of the Executive Committee including Regulatory Policy Development **(Status: In Progress)**
- Action Item Executive Committee** to discuss planning for the Strategic Direction 2016-2021 at summer Executive Committee Meeting **(Status: Completed)**
- Action Item RM** to provide an update to the Council meeting on September 30, 2016 on the *Shaping the Future: Implementation Plan* **(Status: See Registrar's Report)**
- Action Item RM** to consult with MOHLTC to find out if any other Colleges have developed a similar Briefing Note **(Status: In Process)**
- Action Item Executive Committee** to review *By-Law 5: Selection of Committee Chairs and Committee Members* to consider requiring that a Masters level practitioner, rather than a Psychological Associate, must be represented on all Statutory Committees. **(Status: On Agenda)**
- Action Item RM** to get legal advice on the position of the non-voting Psychological Associate on Council **(Status: In Process)**
- Action Item Executive Committee** to review Council non-voting Psychological Associate on Council **(Status: Deferred at this Time)**
- Action Item Executive Committee** to discuss the provision and use of electronic devices supplied by the College. **(Status: Completed, see Executive Committee Report)**
- Action Item Staff** to get information on suitable devices **(Status: Completed)**

President's Report

Unlike last summer when there was some upheaval in upper management, the time since the last Council meeting in June has been 'as per usual' with College business.

In the rhythm of the fiscal year, July is busy for College staff in preparing for and working with the auditors for the financial audit. One of the agenda items for this September Council meeting is to hear from the auditor about this process and the results of the audit. As well over the summer, the various College Committees began their work for this year with training new and seasoned committee members and setting up schedules for their work. I was able to participate in the plenary session for the Registration Committee in July, which gave me the opportunity to continue to be aware of issues that they are considering. In August, the Executive Committee met; you can read about their meeting in the Executive Committee report in the Council meeting materials.

With regards to current initiatives and issues before the College, work has continued on the Registration Regulation Amendment and Shaping the Future Implementation, which you can read about in the Registrar's report. There are a number of motions before the Council today that are the culmination of College Committee and Executive Committee work, and which are testimony to the diversity of issues that have been open and ongoing over the past year.

The Strategic Direction for the College has expired this year. Part of the Council Training day held the day before the September Council meeting was devoted to reviewing the plan and setting direction for the years 2016-2021. As a result of that work, I anticipate that we will have renewed vision and possibly some new aspects to the College work for the years ahead.

On a personal note, over the past couple of months I have been learning more about my role as President and about how the Council and College staff work in collaboration with each other. I have been fortunate to work with the Registrar, who has been open and non-judgemental of my questions and 'wonderings'. In our current Ontario culture, which is promoting the values of transparency and openness, I can confidently say that College staff and Committees are working to demonstrate these values in the work that they do everyday.

I am open to listening to and dialoguing about any questions or comments you may have about information in this report.

Respectfully submitted,

Lynette Eulette



THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO

To: College Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Registrar's Report

Sexual Abuse Task Force Report – Ministry of Health and Long-Term Care

On September 9, 2016, the final recommendations from the Minister's Task Force on the *Prevention of Sexual Abuse of Patients and the Regulated Health Professions Act, 1991* were released. Information regarding the report and the recommends may be found on the Ministry website at:

<https://news.ontario.ca/mohltc/en/2016/9/ontario-taking-action-to-prevent-sexual-abuse-of-patients.html>. The complete Report has not been publicly distributed by the Ministry.

With regard to the recommendations, the Ministry is wishing to move quickly on those things that can be done in the short term while recognizing that other changes may require a lengthier timeline.

We have been told that the Ministry is committed to bringing forward legislative amendments that will strengthen the prevention of, and response to, sexual abuse, increase the transparency of health regulatory colleges, and improve the complaints, investigations and discipline processes so that they uphold the Ministry's zero tolerance policy on sexual abuse. At this time we have no specific information or details as to what these changes may entail.

The Ministry will be undertaking consultations on some of the issues which may lead to amendments to the *RHPA* and have requested information from the College regarding discipline histories and practices. And

The Ministry will be meeting with the Colleges, through the Federation of Health Regulatory Colleges, in early October to share some of their thoughts and to request College input on some of the key directions being considered.

Registration Regulation Amendment

The formal documentation to request an amendment to *Ontario Regulation 74/15 - Registration* was submitted to the Ministry of Health and Long-Term Care in July 2016. This proposed amendment requested the deletion of the words "**one of**" from section 23.(1) which currently reads:

Certificates of registration for a psychological associate authorizing supervised practice

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

To date there has been no response from the Ministry other than an acknowledgment that it was received.

Shaping the Future – Implementation Plan Update

Following consultation with the Ministry of Health and Long-Term Care, it was determined that a Briefing Note would be prepared which could be provided to the Ministry for their consultation with

other relevant government stakeholders. While the project to distill the volumes of information obtained through the work of the *Shaping the Future Task Force* into a 2-3 page Briefing Note has begun, this has not yet been completed. It is anticipated that this will be available for the December meeting of Council.

Staffing Changes

Since the last Council meeting the College has experienced some significant staff changes.

I am pleased to announce that Ms. Amy Gates has joined our Investigations and Hearings staff compliment. Those of you who attended the ICRC Training Day have already had an opportunity to meet her. We are looking forward to having Amy as part of our staff team and to the contributions she will make in her role as Case Manager.

Ms. Lee-Ann Siu, Case Manager, has left the College to take a position in the Investigations and Hearings department at the College of Physicians and Surgeons. Lee-Ann's skill as a Case Manager as well as her friendly, energetic and positive contributions to the overall College staff group will certainly be missed. We know that the CPSO will benefit greatly from our loss and we wish Lee-Ann much success with the many opportunities available to there.

Ms. Paulette Blais, Policy Analyst, has decided not to renew her part-time contract with the College as our Policy Analyst. During her two years with us, Paulette was involved in many major task forces and working groups, taking part in a number of significant College projects and for this we certainly thank her. I am pleased to report that, while not continuing as a staff member with the College, Paulette has indicated that she would be very willing to consider "project" work for us. I am very sure we will take advantage of this offer.



R. Morris

THE COLLEGE OF PSYCHOLOGISTS

Balance Sheet
As Of May 31, 2016

Unaudited

<u>ASSETS</u>	Current Year	Prior Year
Current assets:		
Petty Cash	200.00	200.00
Bank	399,803.56	591,952.56
Cash Equivalents	6,273,981.54	6,170,461.35
Short Term Investments	1,130,830.62	523,358.66
Accounts Receivable Control	(2,624,733.04)	(2,402,276.13)
Accounts Receivable Other	2,629,288.00	2,405,713.04
Interest Receivable	3,362.85	2,940.42
Prepaid Expenses	69,028.76	21,903.30
Total current assets	7,881,762.29	7,314,253.20
Fixed assets:		
Furniture & Equipment	51,385.55	41,057.67
Computer Equipment	61,304.85	54,466.04
Leasehold Improvements	197,547.38	197,547.38
Website & Database Development	224,532.92	137,328.49
Less accumulated depreciation	331,681.49	229,841.18
	203,089.21	200,558.40
Other assets:		
Long Term Investment	503,377.24	553,734.30
	503,377.24	553,734.30
	8,588,228.74	8,068,545.90
<u>LIABILITY AND SHAREHOLDER'S EQUITY</u>		
Current liabilities:		
Accounts Payable Control	65,299.61	82,736.21
Accounts Payable Other	182,722.74	189,626.99
Employee Tax Deductions Payab	23,582.67	24,041.97
Prepaid Fees	2,680,868.45	2,444,917.90
Total current liabilities	2,952,473.47	2,741,323.07
Long term liabilities:		
	0.00	0.00
Shareholder's equity:		
Retained Earnings	2,048,287.58	1,938,435.00
Investigations & Hearings Reserve Fund	748,672.00	748,672.00
Contingency Reserve Fund	979,000.00	979,000.00
Fee Stabilization Reserve Fund	1,075,000.00	1,075,000.00
Website & Database Development Reserve Fund	243,810.25	118,810.25
Premises Reserve Fund	152,453.00	152,453.00
Fair Registration Practices Reserve Fund	80,000.00	80,000.00
Profit (loss) for period	308,532.44	234,852.58
Total shareholder's equity	5,635,755.27	5,327,222.83
	8,588,228.74	8,068,545.90



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council

Date: September 30, 2016

From: Dr. Rick Morris
Registrar & Executive Director

CC:

Re: Staff Presentations: June 17, 2016 to September 30, 2016

Dr. Rick Morris, Registrar & Executive Director

- July 8, 2016: Meeting with GTA Internship Consortium
- September 23, 2016: Presentation with Toronto Internship Consortium

Ms. Lesia Mackanyn, Director, Registration

- September 22, 2016: *Registration with the College of Psychologists – OISE/University of Toronto*

DRAFT

Executive Committee Report

September 30, 2016

The Executive Committee met on August 19, 2016. There was good discussion about a number of issues; however, the agenda was long and it was necessary to defer some items that were less time sensitive to the November meeting.

In particular, it was decided that there was not enough time to thoroughly discuss two significant items. First, it was suggested that a legal opinion was needed about some of the intricacies of two of the transparency initiatives that the Council had directed the Executive to review. Second, the discussion about the role of the Executive was deferred. Since this item already had been deferred twice, and it is important to come to agreement about the role, an additional half day meeting in November was set aside for the specific purpose of reviewing the role of the Executive and formulating a proposal to bring to Council in December.

Many of the issues discussed at the August meeting are being brought forward for consideration by the Council at the current meeting (September), and are included in the meeting materials. These include the Executive Committee's recommendations to Council regarding the proposed revisions to the Standards of Professional Conduct; the Transparency initiatives that were the subject of stakeholder consultation; *By-Law 5: Selection of Committee Chairs and Committee Members*; *By-Law 20 Election to Council*; the Psychotherapy clarification document; some changes to Registration policies; and, the provision of electronic devices for Council.

The Finance and Audit Committee (FAC) joined the August meeting for a presentation by TD Wealth Management, about our current investment strategy. As a result of that presentation, the Executive decided that further discussion was warranted and this will be on the agenda for the November meeting.

As noted earlier in the year, the Executive Committee decided to hold two out-of-town meetings (spring and fall) during this fiscal year to provide another opportunity to reach out to the membership. In keeping with this resolution, the Executive Committee will be meeting in Sudbury; plans are underway for a reception for professional members to be held in Sudbury on Tuesday, November 15, 2016.

Lynette Eulette, Chair

Registration Committee Report to September 30, 2016 Council Meeting

Committee Members:

Marnee Maroes, Ph.D., C.Psych.	Chair, Registration Committee, Professional Member
Ester Cole, Ph.D., C.Psych.	Professional Member
Robert Gauthier, M.Sc., M.Ed., C.Psych.Assoc.	Professional Member of Council
Michael Grand, Ph.D., C.Psych.	Professional Member of Council, Academic
Jaffar Mohammad Hayat	Public Member of Council
Peter McKegney	Public Member of Council
Patricia Minnes, Ph.D., C.Psych.	Professional Member of Council, Academic
Marjory Phillips, Ph.D., C.Psych.	Professional Member
Wanda Towers, Ph.D., C.Psych.	Professional Member

Staff Support to Registration Committee:

Lesia Mackanyn, Director: Registration
 Myra Veluz: Senior Registration Assistant
 Shannon Elliott: Administrative Assistant: Registration
 Kelly Russell: Administrative Assistant: Registration

Meetings of the Registration Committee

July 14, 2016: Panel A

The Registrar referred a total of 26 cases to Panel A.

These cases included:

- 7 academic credential reviews;
- 11 cases where retraining was required for supervised practice members;
- 3 reviews of examination outcomes;
- 1 review of a reciprocity application;
- 1 application for removal or modification of a limitation and/or condition;
- 3 requests for change of area of practice.

July 15, 2016: Panel B

The Registrar referred a total of 31 cases to Panel B.

These cases included:

- 5 academic credential reviews;
- 15 cases where retraining was required for supervised practice members;
- 1 review of an examination outcome;
- 2 applications for removal or modification of a limitation and/or condition;
- 8 requests for change of area of practice.

July 14, 2016 Plenary Session (Orientation for New Term)

A Plenary Session was held on the afternoon of July 14, 2016, it included an orientation and training session for new and returning Committee members.

Following orientation, Ms. Paulette Blais, Policy Analyst for the College delivered a presentation on the development of registration policy. Following Ms. Blais' presentation the Committee reviewed a draft policy on examination accommodation. The Committee approved the draft policy and agreed to forward it on to the next available meeting of the College's Executive Committee for review and possible approval.

September 15, 2016: Panel B

The Registrar referred a total of 27 cases to Panel B.

These cases included:

- 7 academic credential reviews;
- 13 cases where retraining was required for supervised practice members;
- 2 applications for removal or modification of a limitation and/or condition;
- 5 requests for change of area of practice.

September 16, 2016: Panel A

The Registrar referred a total of 28 cases to Panel A.

These cases included:

- 8 academic credential reviews;
- 15 cases where retraining was required for supervised practice members;
- 1 application for removal or modification of a limitation and/or condition;
- 4 requests for change of area of practice.

September 15, 2016 Plenary Session

A Plenary Session was held on the afternoon of September 15, 2016. The Director of Registration provided the group with an update from the Executive Committee meeting of August 19, 2016 with respect to two registration items: 1) Examination Accommodation Policy; and 2) Limitations following Oral Examinations. The Committee was informed that these two items were moving on to be further reviewed at the September 30, 2016 meeting of the College's Council.

The Committee undertook its annual review of the retraining requirements and process for supervised practice members and candidates for supervised practice including retraining guidelines, recommended readings, and proposal and reporting forms.

The Director of Registration provided the group with an update on the current number of active registration appeals being reviewed by the Health Professions Appeal and Review Board (HPARB).

Marnee Maroes, Ph.D., C.Psych.
Chair, Registration Committee

**Discipline Committee Report to Council
(June 1, 2016 – August 31, 2016)**

Committee Members:

Professional:

Robert Gauthier	Chair	Council
Ruth Berman		Council
Dorothy Cotton		Council
Lynette Eulette		Council
Michael Grand		Council
Gilles Hébert		Council
Elizabeth Levin		Council
Denise Milovan		Council
Patricia Minnes		Council
Clarissa Bush		College
Allyson Harrison		College
Jan Heney		College
Tim Hill		College
Maggie Mamen		College
Mary Ann Mountain		College
Donna Reist		College
Pamela Wilansky		College

Public:

Kristin Bisbee
Judy Cohen
D'Arcy Delamere
Jaffar Mohammad Hayat
Peter McKegney
Donna McNicol
Josie Rose
Ethel Teitelbaum

No hearings took place during the first quarter. One matter is currently at the pre-hearing stage.

Six members of the Committee will be attending the Federation of Health Regulatory Colleges of Ontario (FHRCO) discipline training on October 20 and 21, 2016

Robert Gauthier, M. Sc., M.Ed., C.Psych.Assoc.
Discipline Committee Chair
September 22, 2016

Inquiries, Complaints and Reports Committee
Report To Council
(For the Period June 1, 2016 – August 31, 2016)

Inquiries, Complaints and Reports Committee Members

Professional Members of Council

Ruth Berman, Ph.D., C.Psych.
 Dorothy Cotton, Ph.D., C.Psych.
 Elizabeth Levin, Ph.D., C.Psych.

Public Members of Council

Kristin Bisbee
 Judy Cohen
 D'Arcy Delamere
 Donna McNicol
 Ethel Teitelbaum

Professional Members

Diane Addie, Ph.D., C.Psych.
 Ian Brown, Ph.D., C.Psych.
 Debbie Nifakis, Ph.D., C.Psych.
 Glenn Webster, M.Ed., C.Psych.Assoc.

Gilles Boulais, Ph.D., C.Psych.
 Sara Hagstrom, Ph.D., C.Psych. - Chair
 David Smith, Ph.D., C.Psych.

Statistics (attached) for the Inquiries, Complaints and Reports Committee ("ICRC") are compiled on a quarterly basis. The statistics for the last complete quarter were reported at the last Council meeting.

Since June 1, 2016, 18 new investigations have been initiated, and 12 decisions have been released.

An ICRC meeting was held on August 11, 2016 at which a total of 7 cases were considered. In addition, 8 teleconferences were held to consider 9 cases.

An ICRC Orientation Session will be held on September 23, 2016 and an ICRC meeting is scheduled for September 26, 2016, at which 9 cases will be considered.

The next ICRC meeting will take place on October 26, 2016. The number of cases to be considered at the October meeting is yet to be confirmed.

Sara Hagstrom, Ph.D., C.Psych.
 Chair: Inquiries, Complaints and Reports Committee
 September 22, 2016

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Inquiries, Complaints and Reports Committee
Report to Council
First Quarter
June 1, 2016 to August 31, 2016

Case Type

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Complaints	16				16	14
Registrar's Investigations	2				2	1
Health Inquiries	0				0	2
Total	18	0	0	0	18	17

New Matters Investigated, by Nature of Service

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Administration	2				2	
Capacity Assessment					0	
Consultation					0	1
Corrections Assessment					0	
Custody & Access / Child Welfare Assessment	2				2	5
Educational Assessment	3				3	2
Industrial / Occupational Assessment	1				1	
Mediation					0	
Neuropsychological Assessment	1				1	
Not applicable / incapacity					0	2
Not Related to Psychological Services	3				3	1
Other Psychological Assessment					0	
Psychotherapy / Counseling	2				2	3
Rehabilitation / Insurance Assessment	4				4	2
Supervision					0	1
Teaching / Training					0	
Unknown					0	
Total:	18	0	0	0	18	17

Inquiries, Complaints and Reports Committee
Report to Council
First Quarter
June 1, 2016 to August 31, 2016

Dispositions by Case

	YTD					
	Q1	Q2	Q3	Q4	Current	Previous
Administrative Withdrawal					0	
Closed – no jurisdiction					0	
In Abeyance					0	
Incapacity Investigation					0	
Other – Advice	3				3	4
Other - Advice with Undertaking					0	
Other - Take no Further Action	2				2	6
Other - Take no Further Action and Undertakings					0	
Other - Oral Caution					0	1
Other - Oral Caution and Undertakings					0	
Other - Undertaking (Health Inquiry)	1				1	
Other - Oral Caution and SCERP*					0	
Other - Written Caution	2				2	6
Other - Written Caution and Undertaking	1				1	
Other - Written Caution and SCERP*	1				1	
Referral to the Discipline Committee	1				1	
Take No Action, if Complaint Frivolous, Vexatious, Made in Bad Faith, Moot or otherwise an Abuse of Process	1				1	9
Total:	12	0	0	0	12	26

*Specified Continuing Education or Remedial Program

ICRC Report to Council - First Quarter
June 1, 2016 to August 31, 2016

Dispositions by Allegation (Year to Date)

Allegation	Withdrawal	Take No Further Action	Take No Further Action R&V	Take No Further Action	Advice	Advice with UT	Written Caution	Written Caution & UT	Oral Caution	Oral Caution & UT	Oral Caution & SCERP*	Written Caution & SCERP*	SCERP*	Refer to Discipline
Acceptance of Regulatory Authority of the College														
Bias							1							
Boundary violation														
Breach of confidentiality		1												
Conduct unbecoming a member of the CPO							1							
Conflict of interest														
Dual relationship														
Failure to render services appropriate to the user's needs		2												
Failure to fulfill the terms of the agreement with user														
Failure to comply with College requirements														
Failure to comply with limitation														
Failure to obtain informed consent														
Failure to practise within boundaries of competence														
Failure to provide appropriate explanation ...														
Failure to provide services sought														
Failure to report child abuse or neglect														
Failure to make sexual abuse mandatory report														
Failure to respond to a request in a timely manner												1		
Failure to identify limits of certainty														
False or misleading statements		2												1
Fees and billing problems					1									
Finding of Professional Misconduct in Other Jurisdictions														
Illegal Conduct														
Improper office conditions		1												
Improper supervision						1								1

ICRC Report to Council - First Quarter
June 1, 2016 to August 31, 2016

Withdrawal	Take No Further Action F&V	Take No Further Action	Advice	Advice with UT	Written Caution	Written Caution & UT	Oral Caution	Oral Caution & UT	Oral Caution & SCERP*	Written Caution & SCERP*	SCERP*	Refer to Discipline
Inaccurate information	1		1		1							
Inadequate data to support conclusions												
Inadequate feedback												
Inadequate handling of termination					1							
Inappropriate advertising and announcements												
Inappropriate conduct toward a colleague												
Inappropriate conduct toward a student												
Inappropriate conduct toward an employee												
Incapacity		1										
Incompetence												
Insensitive treatment of clients												
Lack of adherence to undertaking or agreement												
Lack of objectivity												
Misrepresentation of Non-Member												1
Non-Sexual Abuse												
Problematic statements made at trial												
Providing services while impaired												
Quality of services												
Record keeping Problems												
Sexual abuse												
Sexual harassment												
Sexual misconduct												
Unauthorized Services												

*Specified Continuing Education or Remedial Program

Inquiries, Complaints and Reports Committee
Report to Council
First Quarter
June 1, 2016 to August 31, 2016

Health Professions Appeal and Review Board

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Reviews Requested	2				2	6

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Decision Confirmed	2				2	2
HPARB F&V					0	1
Decision Unreasonable					0	
Notice to not Proceed	1				1	
Withdrawn					0	
Total:	3	0	0	0	3	3

Sara Hagstrom, Ph.D., C.Psych.
 Chair - ICRC
 September 22, 2016

ICRC Members:

Professional - Council

Ruth Berman, Ph.D., C.Psych.
 Dorothy Cotton, Ph.D., C.Psych.
 Elizabeth Levin, Ph.D., C.Psych.

Professional

Sara Hagstrom, Ph.D., C.Psych. - Chair
 Diane Addie, Ph.D., C.Psych.
 Ian Brown, Ph.D., C.Psych.
 Debbie Nifakis, Ph.D., C.Psych.
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 David Smith, Ph.D., C.Psych.
 Glenn Webster, M.Ed., C.Psych.Assoc.

Public Members

Kristin Bisbee
 Judy Cohen
 Ethel Teitelbaum
 Donna McNicol
 D'Arcy Delamere

**COLLEGE OF PSYCHOLOGISTS OF ONTARIO
STRATEGIC DIRECTION 2011-2016
As of September 30, 2016**

Vision

The College is a model for self-regulation to protect the public interest.

Mission

To promote excellence in the practice of psychology by:

- Enforcing standards fairly and effectively;
- 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; and,
- Promoting the cohesiveness of the profession.

Values

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, responsibly and respectfully.

Respect

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

Mission

To promote excellence in the practice of psychology by:	Current/recent examples	In development/proposed examples
<ul style="list-style-type: none"> Enforcing standards fairly and effectively 	<ul style="list-style-type: none"> ICRC education/remediation (Code s.26.3) Discipline proceedings Consultation with OFC respecting fair registration practices Voluntary audit of Jurisprudence and Ethics Examination Council training session on internationally trained applicants, September 2014 Language proficiency requirement, (January 2016) 	<ul style="list-style-type: none"> Review of Standards of Professional Conduct
<ul style="list-style-type: none"> Communicating clearly and effectively with stakeholders, particularly applicants, members and the public 	<ul style="list-style-type: none"> Ads in newspapers re: mission and mandate of College Feb 2013 – Psychology Month; Mental Health Week Translation of web site content into French Publication of <i>e-Bulletin</i> Federation public education campaign Staff presentations to students and members Redesign of College website completed Revisions to registration regulation to increase clarity of requirements –sealed and signed; awaiting government approval Continuing to develop and improve information on the web site and public register Transparency submission to Ministry (November 2014) Discussion of Core Values Registration Regulation Amendments 	

	<p>Proclaimed (April 2015)</p> <ul style="list-style-type: none"> • College letter to the Ministry of Health and Long-Term Care regarding mechanism to deal with the provision of therapies that could be considered harmful (e.g., “conversion therapy” (April 2015) • Executive Committee Reception with Ottawa members (May 2016) • Posting of Council materials package before meetings on website (June 2016) • Posting discipline decisions on CanLii (June 2016) 	
<ul style="list-style-type: none"> • Supporting and assisting members to meet high standards 	<ul style="list-style-type: none"> • Practice advisor service • Barbara Wand Symposium (October 2015) • CRC consideration of policy issues relating to delegation of the controlled act of psychotherapy • QA Regulation amendments – sealed and signed; awaiting government approval • Task Force on custody & access and child welfare – information for members posted on web site • Quality Assurance Regulation Amendments proclaimed (April 2015) • Review of Standards of Professional Conduct by the Client Relations Committee • Work of the Supervision Task Force – (2015-2016) • Registration Regulation (housekeeping) Amendment submitted to MOHLTC (July 2016) 	<ul style="list-style-type: none"> • Implementation of Quality Assurance Regulation Amendments • Review of Supervision Standards
<ul style="list-style-type: none"> • Responding to changing needs in new and 	<ul style="list-style-type: none"> • Model Standards on Telepsychology 	<ul style="list-style-type: none"> • eHealth initiative- Provider Registry; GTA

emerging practice areas	<p>(ACPRO)</p> <ul style="list-style-type: none"> • Council discussion and monitoring of regulation of behaviour analysts • Monitoring developments respecting prescribing authority for psychologists • Titles regulation consultation • Transparency Consultation distributed to members and other stakeholders (April 2016) 	Connect – a test file of member information was sent to eHealth Ontario on December 1, 2014. Regular uploading of PPI has not yet begun.
<ul style="list-style-type: none"> • Collaborating in shaping the regulatory environment 	<ul style="list-style-type: none"> • Participation in ASPPB, ACPRO, FHRCO • College made submissions during consultations on regulation of psychotherapy • College is participating in inter-College working group respecting psychotherapy • Client Relations Committee completed review of issues relating to delegation and supervision of controlled act of psychotherapy and provided recommendations to Council - Council approved recommendations • The College participated in the development of the ACPRO position statement on the national standard for entry to practice – Council adopted National Standard December 2015 • Client Relations Program submission to Ministry January 2015 • Detailed Complaints Data provided to Minister’s Sexual Abuse Task Force Feb/15 • Council adopted The Advisory Group for Regulatory Excellence (AGRE) Principles (September 2015) 	

	<ul style="list-style-type: none"> • Executive Committee Audit (2015) • Council Training – (March 2016) <ul style="list-style-type: none"> - <i>Role and Function of the Executive Committee</i> - <i>Update by MOHLTC (Allison Henry & Stephen Cheng)</i> 	
<ul style="list-style-type: none"> • Promoting the cohesiveness of the profession 	<ul style="list-style-type: none"> • Consultation on <i>Shaping the Future</i> Implementation Plan (January 2016) 	<ul style="list-style-type: none"> • Implementation of Council ‘s March 2013 decision respecting future of psychology regulation in Ontario

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 Registrar since June 2016 Council Meeting as activities undertaken in service of the College’s Strategic Directions 2011-2016

DRAFT

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: PROPOSED REVISIONS TO THE *STANDARDS OF PROFESSIONAL CONDUCT*

MOVER: TBD

RATIONALE: The current *Standards of Professional Conduct (Standards)* have been in use since September 1, 2005, with some minor revisions made on March 27, 2009. The review undertaken suggests that the majority of the *Standards* remain relevant and appropriate to contemporary psychological practice. The draft presented does include some recommended amendments which are sensitive to such factors as heightened awareness of the need to prevent sexual abuse of patients; members' and clients' increasing use of emerging technology, including telepsychology; and, challenges in the practice of supervision provided by members.

MAIN MOTION: THAT THE PROPOSED REVISIONS TO THE *STANDARDS OF PROFESSIONAL CONDUCT* BE APPROVED FOR CIRCULATION TO MEMBERSHIP AND OTHER RELEVANT STAKEHOLDERS

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Memo from Mr. Barry Gang, Deputy Registrar/Director Professional Affairs
- Draft *Standards of Professional Conduct*



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council
From: Barry Gang, Deputy Registrar and Director of Professional Affairs
CC: Dr. Rick Morris, Registrar & Executive Director
Date: September 30, 2016
Re: Presentation of Draft 2016 *Standards of Professional Conduct*

Council Action Required: The Council is asked to approve the proposed Revised *Standards*, with the “Recommended Changes Table” for consultation with the membership and other relevant stakeholders.

Background

The current *Standards of Professional Conduct (Standards)* have been in use since September 1, 2005, with some minor revisions made on March 27, 2009. The *Standards* may be accessed on the College website at: www.cpo.on.ca/WorkArea/DownloadAsset.aspx?id=335.

A review of the *Standards*, which began in the fall of 2014, suggested that the majority of the content remains relevant and appropriate to contemporary psychological practice. The draft presented does however, include some recommended amendments. These proposals are sensitive to such factors as heightened awareness of the need to prevent sexual abuse of patients; members’ and clients’ increasing use of emerging technology, including telepsychology; and, challenges in the practice of supervision provided by members.

The review of the *Standards* by the Client Relations Committee included a member consultation. Those items within the *Standards* related to supervision were reviewed by the Supervision Task Force, which was struck by the College to specifically review supervision. The Client Relations Committee, with the assistance of staff, integrated these two initiatives to create the current draft *Standards* (attached). Integration was guided by the values of public interest and protection, clarity, freedom from ambiguity for the profession and the public, and ease of enforceability.

The membership was consulted at the beginning of the process with the expectation that a second consultation would be conducted, through which members could provide feedback on the proposed, revised *Standards*.

The table below describes the changes made to the 2009 *Standards* with the rationale for each deletion, change or addition.

Recommended Changes to the Standards of Professional Conduct

March 2009 Standards	Proposed Revised Standards (2016)	Rationale
<p><i>New: Practical Applications</i></p>	<p><i>Explanations will be added to enhance clarity and provide additional guidance to members. These will be accessible within the electronic version of the document and easily subject to change, as required. The Practical Applications will replace the current Supplementary Notes.</i></p>	<p><i>Practical Application of the Standards is a dynamic phenomenon and should be updated to reflect changes in practice and the regulatory environment as they occur</i></p>
<p><i>Definitions:</i></p>	<p><i>The Definitions of “Individual Client” & “Corporate Client” have been clarified:</i> <i>Client</i> means an entity receiving psychological services, regardless of who has arranged or paid for those services. An <u>Individual Client</u> is the recipient of psychological services where the services are directed towards a person, couple, family or other group of individuals. A <u>Corporate Client</u> is an organization, such as a business, community or government that receives services that are directed primarily at the organization, rather than to the individuals associated with that entity.</p> <p><i>“Professional Activities” has been subsumed under the category of “Psychological Services” and relates to services of a psychological nature</i></p>	<p><i>New definitions are not substantively different, however they reduce confusion about the difference between Individual Clients, Organizations and Corporate Clients. They clarify the College position that “who is the client” is not determined by who arranges or pays for the service, but rather by who is/are the recipient(s) of services</i></p> <p><i>While the Professional Misconduct Regulation refers to “Psychological Services” it does not refer to “Professional Activities”, which currently include</i></p> <ol style="list-style-type: none"> <i>a. Education and training</i> <i>b. Scholarly activities</i> <i>c. Administration</i> <p><i>This change will make it clearer that inappropriate conduct in these contexts may be considered Professional Misconduct</i></p>

	<i>Definitions of “Best Efforts” and “Reasonable Efforts” have been added</i>	<i>Provides clearer direction to members about the level of effort required to comply with Standards</i>
<i>3.2 Clarification of Confidentiality and Professional Responsibility to Individual Clients and Organizations</i>	<i>Incorporates what was formerly 3.3: that provision of services on behalf of a corporate client does not diminish a member’s obligations and professional responsibilities to individual clients</i>	<i>Streamlines Standards and reduces redundancy, given that both Standards 3.2 and 3.3 were closely related</i>
<i>3.3 Conflict Between Needs of Individual and Corporate Clients</i>	<i>Omitted, incorporated within 3.2, as above</i>	<i>As above</i>
<i>4.1 Supervision; Responsibility for Supervised Psychological Service Providers</i>	<p><i>This section was subject to substantial revision and reorganization, based upon the Recommendations of the Supervision Task Force, to recognize the variety of supervision scenarios in which members may be engaged. In addition to the original requirements:</i></p> <ul style="list-style-type: none"> <i>• Members will be required to personally assess the knowledge, skills and competence of the supervisee</i> <i>• Members will be required to keep a record of supervision activities and contacts between supervisors and supervisees</i> <i>• In most cases, members will be responsible for ensuring that there is an individual supervision agreement, signed by both supervisor and supervisee for each supervisory arrangement</i> <i>• Supervisors are explicitly prohibited from making supervisory arrangements solely to facilitate third party payments</i> 	<i>A need was seen to increase the rigorousness of supervisory arrangements in some situations; frequency of member and public inquiries, as well as complaints against members related to supervision indicated that the public interest and reputation of the profession required that expectations for members be further defined and clarified</i>

	<ul style="list-style-type: none"> • <i>The requirements for billing will be extended to cover the provision of receipts with such documents required to include the name of the supervising member as well as the name, title and qualifications of the supervised service provider</i> • <i>Supervisors of Supervised Practice members will be required to co-sign all psychological reports, and formal correspondence related to psychological services prepared by supervisees</i> • <i>Supervisors of Autonomous Practice members who are seeking to expand their areas of authorized practice or who are providing services outside of their authorized areas of practice on an exceptional basis will be required to approve final drafts of all reports and correspondence prepared by supervisees</i> • <i>Members engaged in formal and ongoing non-supervisory guidance and other activities (where responsibility does not extend to individual client care, but rather only to more general guidance, and where the service provider retains full responsibility for client care) will be required to have a signed agreement to this effect</i> 	
<p><i>4.3 Section on Communication of a Diagnosis expanded to include all controlled acts</i></p>	<p><i>Prohibits members from permitting non-members to perform any of the RHPA controlled acts with the exception of those fulfilling the requirements to become a</i></p>	<p><i>Expands the scope of prohibitions under the Standards from Communication of a Diagnosis to all controlled acts, including psychotherapy</i></p>

	<i>member of the College; obliges members to ensure those members who are under supervision can perform controlled acts only if they have demonstrated the knowledge, skill and competencies to perform them</i>	
<i>5.1 Competence</i>	<i>Language changed to expand requirement to provide services only within <u>authorized</u> areas of practice and client groups, in addition to the existing requirement to restrict practise to areas of competence. Requires that members wishing to gain additional competence within their authorized areas of practice and populations must do so under the guidance of those who have the competencies themselves</i>	<i>Brings the language of the Standards in line with the language and substance of the Registration Regulation; recognizes that College authorization is required for practice within each practice area and with each client group</i>
<i>6.1 and 6.2 : order has been reversed</i>	<i>“Presentation of Qualifications” to precede “Accuracy of Public Statements”</i>	<i>Importance of “Presentation” felt to be such as to require it to be primary in the Standard</i>
<i>6.1 Presentation of Qualifications</i>	<i>Requires members’ titles to include reference to registration status, e.g., “Supervised Practice”, “Retired”, “Inactive”</i>	<i>While “Supervised Practice” is included in examples within existing Supplementary Notes, this clarifies that members must provide information related to these limitations when presenting qualifications</i>
<i>6.4 new: Public Announcements of Services</i>	<i>Public announcements of psychological services and fees must be offered in the name of an autonomous practice member of the College</i>	<i>This prevents supervisees from advertising services in a manner that may be misleading with respect to their autonomy in service provision</i>
<i>6.4 Compensation for Publicity</i>	<i>now 6.5</i>	<i>Administrative-renumbering</i>

<i>6.5 Provision of Information to the Public</i>	<i>now 6.6</i>	<i>Administrative- renumbering</i>
<i>8.2 Access to Personal and Personal Health Information</i>	<i>Application of Standard expanded beyond “psychological records” to “relevant records” and from “clients” personal and personal health information to any personal or personal health information collected by member</i>	<i>Recognition that members may be custodians of both personal and personal health information about individuals who are not their clients and are still subject to obligations under the relevant privacy legislation</i>
<i>9.1 Records and Record Keeping</i>	<i>Efforts to ensure all members records, not only psychological records, are complete and accessible; now subject to “Best Efforts” as opposed to “Reasonable Efforts” standard</i>	<i>Recognizes the possibility of a need to access any of a member’s practice related records; due to the importance of the issue, it was believed that a more rigorous standard was required</i>
<i>9.1.2 new:</i>	<i>Members who are supervisors of both non- autonomous members of the College and non-College members are responsible for security, accessibility, maintenance and retention of client records</i>	<i>Recognizes the transient nature of supervisory relationships and makes explicit the need to ensure psychological records are secure and accessible by the member and others authorized to access the records for the appropriate period of time</i>
<i>9.1.3 new:</i>	<i>Use of Technology in Maintaining Records Sets out additional responsibilities for those using technology to ensure records are secure and accessible</i>	<i>Recognizes the extra challenges and responsibilities inherent in electronic record keeping</i>
<i>9.2 Individual Client Records</i>	<i>Clarifies that members may choose to return information they receive that is not relevant or material to the service being delivered</i>	<i>While previously implicit, this provides clarity to members and also ensures that original material that is not relevant to the service being provided will be returned to the sender</i>

<i>9.8.1, 9.8.2 Members in Private Practice Settings who Cease to Provide Psychological Services</i>	<i>Increases obligation to leave records in care of another College member from “preferred” status to a “make best efforts” standard</i>	<i>Due to the importance of the issue, it was believed that a more rigorous standard was required</i>
<i>10 Fees /Contracts for Services</i>	<i>Now 11</i>	<i>Administrative- renumbering</i>
<i>11.1 Fees and Billings Arrangements</i>	<i>Removed: “Fees shall not be set on the basis of advantage or material benefits accruing to the individual receiving services”</i>	<i>Many members have had difficulty understanding this standard and the positive obligations for billing under Standard 11.1 (formerly 10.1) preclude setting fees based on anything other than length of time spent and complexity of service</i>
	<i>11.2 Title Change to Ancillary Charges Title expanded to include other ancillary charges</i>	<i>Title change reflects inclusion of 11.2.1 below</i>
<i>11.2.1 New:</i>	<i>Interest and Missed Appointments Expands beyond ability to charge interest for overdue accounts to ability to charge for missed appointments or late cancellation</i>	<i>Makes explicit that members are entitled to charge for missed appointments or late cancellations, even though no time spent or services rendered; specifies that in order to apply such charges, one must discuss this when billing arrangements are discussed</i>
	<i>11.2.2 New: Administrative Fees Enables members to charge fees for other services, including preparing special reports, copying records and completing forms, provided this is discussed prior to the service being undertaken</i>	<i>Explicitly recognizes that such activities are services that have value and members are entitled to compensation for them, provided client is aware of the fee before service undertaken and the amount of the fee is “reasonable”</i>
	<i>11.4 Retainers: emphasizes that members may not seek</i>	<i>Provides clarification that members may not require</i>

	<i>prepayment for preparation of reports, in addition to other services</i>	<i>prepayment for preparation of reports</i>
<i>Fee splitting (10.5) removed</i>	<i>Standard regarding fee splitting (10.5) removed</i>	<i>Historically many individuals found this difficult to understand. Standard 13 (previously 12) (Professional Objectivity) prohibits exploitation which is what the 'fee splitting' Standard was designed to address. As well, Professional Misconduct prohibition against Conflict of Interest would also address such improprieties</i>
<i>11 Impairment</i>	<i>Now 12</i>	<i>Administrative-renumbering</i>
<i>12 Professional Objectivity Now 13</i>	<i>13.5 Extends prohibited relations within two years with Current or Former Clients to include not only sexual, but also intimate relationships; prohibits making plans engage in such activity for the same time period; Increases prohibition on intimate or sexual relationships with former clients beyond two years if members reasonably ought to have known that the former client may require future service or other professional involvement with them. Prohibition against relationships with employees of corporate clients are <u>excluded</u> if service was not intended to be therapeutic or individual is not vulnerable to exploitation</i>	<i>Increases protection of clients from inappropriate relationships Recognizes that in situations where the corporation is the client, employees of the corporation are different than those with whom member has an individual therapeutic relationship</i>
	<i>13.6 Gifts from Clients: Adds that in accepting even a small gift, members must carefully consider the potential clinical implications of this</i>	<i>Recognizes that in some situations accepting even a "small" or "token" gift may reflect a boundary violation contrary to the interests of</i>

		<i>the client</i>
<i>13 Harassment and Sexual Relationships</i>	<i>Now 14</i>	<i>Administrative-renumbering</i>
<i>14 Assessment and Intervention</i>	<i>Now 10</i>	<i>Substance unchanged; sections reorganized for additional clarity</i>
<i>New</i>	<i>15 Use of Technology in the Provision of Psychological Services Formalizes requirement for members to adhere to ACPRO Model Standards for Telepsychology Practice</i>	<i>Recognizes the need for consistent standards, in the public interest, for this emerging area of practice</i>

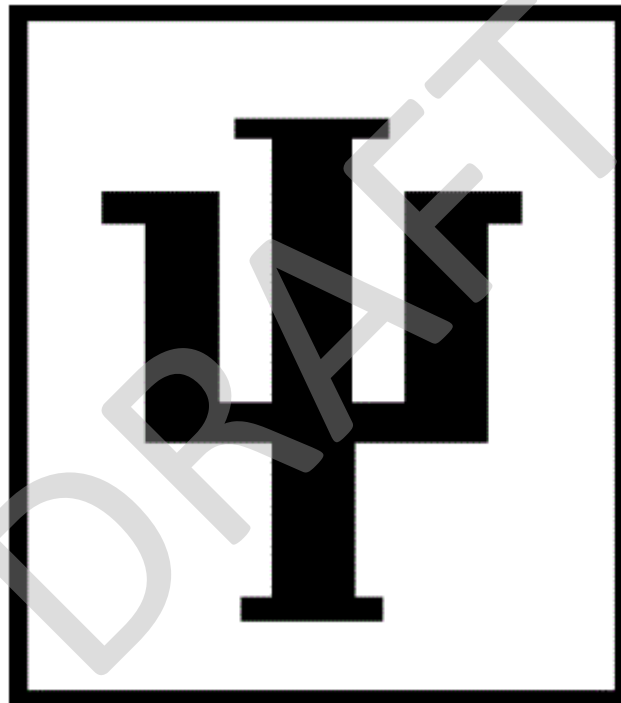
Supplementary Notes, which have been provided along with the *Standards* in the past, will be replaced by Practical Application notations. The Practical Applications will be incorporated within the *Standards* and subject to updates and changes when required.

The Council is asked to approve the proposed Revised *Standards*, with the “Recommended Changes Table” for consultation with the membership and other relevant stakeholders.

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

STANDARDS OF PROFESSIONAL CONDUCT

**Draft for Consultation
August 30, 2016**



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THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

STANDARDS OF PROFESSIONAL CONDUCT

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DRAFT

PRACTICAL APPLICATIONS have been developed to provide clarity and guidance for some Standards. The Practical Applications can be accessed by following the link following the Standard to which they apply.

APPLICABILITY

For the purposes of Ontario Regulation 801/93 Professional Misconduct, section 1.2., these Standards are to be considered “standards of the profession”.

DEFINITIONS

The College refers to the College of Psychologists of Ontario.

Member refers to an individual psychologist or psychological associate registered by the College of Psychologists of Ontario.

Psychological services refer to services of a psychological nature that are provided by or under the supervision of a member. Psychological services include, but are not limited to, one or more of the following:

- a. Evaluation, diagnosis and assessment of individuals and groups
- b. Interventions with individuals and groups
- c. Consultation
- d. Program development and evaluation
- e. Supervision
- f. Research
- g. Education and training
- h. Scholarly activities
- i. Administration

Client means an entity receiving psychological services, regardless of who has arranged or paid for those services. An Individual Client is the recipient of psychological services where the services are directed towards a person, couple, family or other group of individuals. A Corporate Client is an organization, such as a business, community or government that receives services that are directed primarily at the organization, rather than to the individuals associated with that organization.

Public Statements include but are not limited to: paid or unpaid advertising, grant and credentialing applications, brochures, printed matter, directory listings, personal resumes or curricula vitae, comments for use in media including print and electronic transmission, statements in legal proceedings and contained in the public record, lectures and public presentations, and published materials.

Psychological Records are deemed to include all forms of information collected in relation to the provision of psychological services, regardless of the nature of the storage medium.

“Best efforts” means taking, in good faith, all steps that a member would take in the circumstances to achieve the objective and carry the process to its logical conclusion.

“Reasonable Efforts” means efforts that a member would take in the circumstances, depending on the facts of particular case and the level of risk that would result from inaction, and do not require undue hardship.

Note: Capitalized terms not defined in these Standards shall have the meaning ascribed to them in the *Psychology Act, 1991*, the regulations made thereunder, and/or the bylaws of the College.

1. Acceptance of Regulatory Authority of the College

1.1 Compliance with College Authority

A member of the College shall comply with the regulatory authority of the College.

1.2 Responding to a College Request

When requested by the College, a member shall promptly provide an account of his/her activities, responsibilities and functions. When employed by an institution or other non-member, the member shall also provide a description of the organization and the types of services that the organization provides.

1.3 Agreements with the College

A member shall adhere to any undertaking or agreement that the member has made with the College.

1.4 Participation in Quality Assurance

A member shall participate fully in all mandatory aspects of the College's Quality Assurance Program.

1.5 Provision of Regulatory Information to Clients

If requested by a client, a member shall provide information regarding the mandate, function, location and contact information of the College, and provide information about where the client can obtain:

- a) the statutes and regulations that govern the provision of psychological services; and
- b) the College's standards, guidelines, and codes of ethics.

2. Compliance with Statutes and Regulations Relevant to the Provision of Psychological Services

2.1 General Conduct

A member shall conduct himself/herself so that his/her activities and/or those conducted under his/her direction comply with those statutes and regulations that apply to the provision of psychological services.

3. Meeting Client Needs

3.1 Responsibility for Psychological Services

3.1.1 Private Practice Settings

A member, whether working individually, in partnership or as a shareholder of a psychological corporation, shall assume responsibility for the planning, delivery, supervision and billing practices of all the psychological services he/she provides to a client.

3.1.2 Employment Settings

A member shall assume responsibility for the planning, delivery, and supervision of all the psychological services he/she provides to a client. Members working as employees shall make reasonable efforts to ensure that their work setting adheres to the Standards of Professional Conduct in the planning, delivery, supervision and billing practices of all psychological services provided.

3.2 Clarification of Confidentiality and Professional Responsibility to Individual Clients and to Organizations

In situations in which more than one party has an appropriate interest in the psychological services rendered by the member to a client or clients, the member shall, to the extent possible, clarify to all parties prior to rendering the services the dimensions of confidentiality and professional responsibility that shall pertain in the rendering of services. The provision of psychological services on behalf of a corporate client does not diminish a member's obligations and professional responsibilities to the individual client.

4. Supervision

4.1 Responsibility of Supervisors of Psychological Service Providers

Members shall assume responsibility and accountability for the actions and services of all supervised providers of psychological services who are not authorized by the College to provide those services autonomously. Supervisors must be authorized to provide the relevant services with the relevant populations. This includes but is not limited to supervisees who are employees, students, trainees, and members holding certificates of registration authorizing supervised practice, and service providers who are not members. Supervisors shall ensure that:

4.1.1 All Supervision:

- a) the supervising member is competent to provide the services undertaken by the supervisee;
- b) the supervising member has assessed the knowledge, skills and competence of the supervisee and provides supervision as appropriate to the knowledge, skills and competence of the supervisee, based on this assessment;
- c) the supervising member will keep a record of supervision activities and contacts between the supervisor and supervisee;
- d) the supervising member will ensure that there is an individual supervision agreement, signed by both supervisor and supervisee, for each supervisory relationship;
- e) the supervising member will not make supervisory arrangements for the sole purpose of facilitating billing and payment for services by a third-party payer;
- f) the supervising member's name, clearly identified as supervising psychologist or supervising psychological associate, and his/her contact information, are clearly identified on all psychological reports and formal correspondence related to psychological services;
- g) the supervising member will ensure that billing and receipts for services are in the name of the supervising member, psychology professional corporation or employer and clearly identify the name of the supervising member and the name, title and qualifications of the supervised service provider.

4.1.2 Supervision of Supervised Practice Members:

In addition to the responsibilities outlined in 4.1.1,

- a) the supervising member, when acting as primary or alternate supervisor for a member holding a certificate authorizing supervised practice, provides reasonable training and mentoring to assist the supervised member in the registration process;
- b) the supervising member co-signs all psychological reports and formal correspondence related to psychological services prepared by supervisees;

4.1.3 Supervision of Non Members:

In addition to the responsibilities outlined in 4.1.1,

- a) the supervising member, when supervising an individual who is not engaged in fulfilling the requirements to become a member of the College, must have a direct supervisory relationship with the supervisee who is the service provider; such a supervisee is not permitted to assign services to or to supervise another provider; and
- b) the supervising member must co-sign all psychological reports and formal correspondence related to psychological services prepared by non-member supervisees;

4.1.4 Supervision of Autonomous Practice Members of the College

- a) All of the requirements under 4.1.1 are applicable to supervisors of Autonomous Practice members who are seeking to provide services outside of their authorized areas of practice and/or client groups, with the exception of g) (billing and receipts) and f) (identification of supervisor on reports and formal correspondence)
- b) Supervisors will approve final drafts of all reports and formal correspondence.

4.1.5 Members Providing Non-Supervisory Guidance and Other Services

Members providing formal, ongoing guidance to individuals who are not members of the College, but are not providing supervision, must have a clear agreement, signed by both parties, ensuring the understanding that the member is not taking on the responsibility for client care and that the person receiving such guidance retains responsibility for individual client care.

4.2 Informing Clients

Supervising Members shall confirm that clients have been informed of the following at the onset of service provision:

- a) the professional status, qualifications, and functions of the individual providing the service, and that all services are reviewed with, and conducted under the supervision of, the supervisor;
- b) the identity of the supervisor and how the supervisor can be contacted;
- c) that meeting with the supervisor can be arranged at the request of the client, supervisor, and/or supervisee; and with respect to the limits of confidentiality, that the supervisor will have access to all relevant information about the client.

4.3 Controlled Acts

Only members of the College may perform the controlled acts which they are legally authorized to perform and members may not permit non- members to perform them under any circumstances except as described in 4.3.1 below.

4.3.1 Members Holding Certificates Authorizing Supervised Practice and Other Individuals who are in the Course of Fulfilling the Requirements to become a Member of the College

Supervising members shall permit only those members of the College who demonstrate the knowledge, skills and competencies required to perform the controlled acts. The supervising member shall be responsible for determining the process for the performance of the controlled acts taking into consideration the knowledge, skills and competence of the supervisee.

4.3.2 Supervision of Non-member Providers who are Not Authorized to Perform the Controlled Act of Communicating a Diagnosis

Only the supervising member shall perform the controlled act of communication of a diagnosis, either in person or through 'real time' communication such as by telephone, teleconferencing or videoconferencing.

Please also see Standard 9.1.2 (Record Keeping)

5. Competence

5.1 Practising Within Areas of Competence

A member shall only provide services within their authorized areas of practice and with their authorized client populations, and then only when competent to provide those particular services.

A member wishing to provide services that are beyond their competence but are within their authorized areas of practice and with their authorized client populations may only do so under the professional guidance of a member who is authorized and competent to provide the services being delivered.

5.2 Changing/Expanding Areas of Competence

A member planning to change or expand his/her professional practice to include a new area, client group or activity, beyond the member's existing authorized area of practice and/or client group, shall inform the College, undertake appropriate training, education and supervision, and satisfy any other formal requirements specified by the College.

A member wishing to provide services outside of his/her authorized areas of practice or his/her authorized populations shall do so only under supervision.

6. Representation of Services

6.1 Presentation of Qualifications

In the presentation of his/her qualifications, a member shall conform to the following practices:

- a) a member shall show his/her registration certificate to a client upon request;
- b) a member shall represent himself/herself to the public as a member of the College by the use of the title Psychologist or Psychological Associate. This may be abbreviated to C. Psych. or C. Psych. Assoc., or a member may indicate that he/she is a "Member of the College of Psychologists of Ontario";

- c) any of the following applicable limitations shall immediately follow a member's title: "Supervised Practice", "Retired" or "Inactive"
- d) the highest academic degree upon which registration is based shall immediately precede the professional title;
- e) only where a member has been registered as a Psychologist on the basis of a doctoral degree, may the member use the title "Doctor" or a variation, abbreviation or equivalent in another language in the course of providing or offering to provide, psychological services;
- f) clarification of area of psychological practice may be made by the addition of a qualifier either to the title Psychologist or Psychological Associate (e.g., Clinical Psychological Associate, Clinical Neuropsychologist) or by citing one or more areas of practice (e.g., practice in school psychology, practice limited to school psychology). The qualifier or citation must be consistent with one or more of the areas of practice in the registration guidelines;
- g) other degrees or professional titles, such as MBA, P.Eng., shall be specified when the area of study is relevant to the member's psychological practice;
- h) a member shall not qualify his/her title by citing membership in professional associations (e.g., OPA, OAPA, CPA, APA, CRHSP); and
- i) a member may qualify his/her title by citing a credential relevant to the practice of psychology in Ontario and issued by a recognized professional credentialing body where that organization conducts a formal written or oral examination of each applicant's knowledge, skills and qualifications.

6.2 Accuracy of Public Statements

A member shall not knowingly make public statements that are false, misleading or fraudulent, concerning his/her psychological services or professional activities or those of persons or organizations with which he/she is affiliated. Accordingly, a member shall not misrepresent directly or by implication his/her professional qualifications such as education, experience, or areas of competence. Moreover, a member shall not misrepresent his/her qualifications by listing or displaying any affiliations with an organization that might be construed as implying the sponsorship or certification of that organization. A member may list or display an affiliation only if such sponsorship or certification does, in fact, exist.

6.3 Promotion of Professional Practice

A paid advertisement shall be identified, or be clearly recognizable, as an advertisement. Members who engage others to create or place advertisements or public statements that promote their professional practice, products, or activities retain professional responsibility for such statements.

6.4 Public Announcements

Public announcements of psychological services and fees must be offered in the name of an autonomous practice member of the College.

6.5 Compensation for Publicity

A member shall not compensate a representative of the media, in any way, in return for free publicity.

6.6 Provision of Information to the Public

A member who provides information, advice or comment to the public via any medium shall take precautions to ensure that:

- a) the statements are accurate and supportable based on current professional literature or research;
- b) the statements are consistent with the professional standards, policies and ethics currently adopted by the College; and

- c) it might reasonably be expected that the individual member of the public receiving this information understands that these statements are for information only, that a professional relationship has not been established and that there is no intent to provide professional services to the individual.

7. Consent to Services

7.1 Limits of Confidentiality

At the onset of the provision of psychological services, or at the earliest reasonable opportunity, a member shall be responsible for informing clients of the limits of confidentiality maintained by the member and anyone he/she may supervise.

7.2 Obtaining Consent

A member shall obtain informed consent with respect to the delivery of all psychological services unless otherwise permitted or required by law.

8. Privacy of Personal Information and Personal Health Information

8.1 Collection, Use and Disclosure

A member shall obtain consent with respect to the collection, use and disclosure of personal information and personal health information in a manner required by legislation applicable to the relevant service.

8.2 Access by Client or Client's Authorized Representative

A member shall provide access by an individual and or his/her authorized representative to that person's personal information and personal health information contained in the relevant records unless prohibited by law or the member is otherwise permitted to refuse access.

9. Records and Record Keeping

9.1 General Conditions

A member shall make best efforts to ensure that the member's records are complete and accessible; this applies whether the record is kept in a single file or in several files and whether the record is housed in one location or at several locations.

If a member is supervising psychological services provided by a psychology intern, trainee, member holding a certificate for supervised practice or any other unregulated or regulated service provider who is not an autonomous practice member of the College, the client is the supervisor's. Therefore the member is responsible for the protection and retention of all individual client records.

9.1.2 Members Responsible for Supervising Supervised Practice Members and Non Members

Members supervising Supervised Practice Members and Non- Members are responsible for the security, accessibility, maintenance and retention of records.

9.1.3 Use of Technology in Maintaining Records, for example, Electronic Record Keeping

Members are required to ensure the security of records kept in an electronic form and are required to maintain current knowledge of the risks and associated risk mitigation strategies and to apply this knowledge to all technologies they may use to ensure that all records are secure and accessible to the member for the required retention period.

9.2 Individual Client Records

(1) A member shall keep a record related to the psychological services provided by the member for each client who has engaged the member to provide psychological services, or for whom such services have been authorized; and

(2) The record shall include the following:

- a) the client's name(s), address(es) and (if available) telephone number(s), as well as any other identifying information needed to distinguish the client from other clients;
- b) the client's date of birth;
- c) the date of every relevant and material contact between the member and the client;
- d) the date of every material consultation, either given or received by the member, regarding service to the client;
- e) a description of any presenting problem and of any history relevant to the problem;
- f) relevant information about every material service activity related to the client that is carried out by the member or under the responsibility of the member, including, but not limited to: assessment procedures; resulting assessment findings; diagnoses; goals or plans of service developed; reviews of progress on the goals and/or of the continued relevance of the plan of service; activities related to crises or critical incidents; and interventions carried out or advice given;
- g) relevant information about every material service activity that was commenced but not completed, including reasons for the non-completion;
- h) relevant information about every controlled act, within the meaning of Section 4 of the Psychology Act, 1991 and subsection 27(2) of the Regulated Health Professions Act, 1991, and the regulations under both statutes, performed by the member;
- i) all reports or correspondence about the client, received by the member, which are relevant and material to the member's service to the client; members may choose to return information that is not relevant or material to the member's service to the party that provided the information;
- j) all reports and communications prepared by the member regarding the client;
- k) a copy of every written consent and/or documentation of the process of obtaining verbal consent related to the member's service to the client; and
- l) relevant information about every referral of the client, by the member, to another professional.

(3) All information recorded and/or compiled about an individual client shall be identifiable as pertaining to that particular client.

(4) All information recorded and/or compiled shall be dated and the identity of the person who made the entry shall be identifiable.

(5) Despite the requirements of Section 3, members are not required to retain personally identifiable information on persons receiving prevention, public education, group training, emergency or post emergency group services, or group screening services.

9.3 Corporate Client Records

- (1) A member shall keep a record related to the services provided to each corporate client.
- (2) The record shall include the following:
 - a) the name and contact information of the corporate client;
 - b) the name(s) and title(s) of the person(s) who can release confidential information about the corporate client;
 - c) the date and nature of each material service provided to the corporate client;
 - d) a copy of all agreements and correspondence with the corporate client; and
 - e) a copy of each report that is prepared for the corporate client.

9.4 Retention of Records

Unless otherwise required by law:

- (1) The individual client record shall be retained for at least:
 - a) ten years following the client's last relevant clinical contact; or
 - b) if the client was less than eighteen years of age at the time of his/her last relevant clinical contact, ten years following the day the client became or would have become eighteen.
- (2) The corporate client record shall be retained for at least ten years following the corporate client's last contact. If the corporate client has been receiving service for more than ten years, information that is more than ten years old may be destroyed if the information is not relevant to services currently being provided to the client.

9.5 Billing Records

A record of fees charged to and received from clients shall contain the following information: the payor, the recipient of psychological services, service provider(s), date, nature, and unit fee of the service; the total charged; the payment received; and, the date of payment. Such records shall be maintained on the same retention schedule as the individual or corporate client record.

9.6 Security of Client Records

9.6.1 Storage

A member shall make reasonable efforts to ensure that client records are secure and protected from loss, tampering or unauthorized use or access.

9.6.2 Transmission and Disclosure

A member shall make reasonable efforts to ensure that the disclosure or transmission of information protects the privacy of the client record.

9.7 Client Records in a Common Filing System

A member shall exercise appropriate care when placing information in a common record in an effort to ensure that his/her reports and recommendations are not misunderstood or misused by others who may have access to the file.

9.8 Client Records of Members Who Cease to Provide Psychological Services

9.8.1 In Private Practice Settings

- (1) A member who plans to or ceases to provide psychological services shall:
 - a) take ongoing responsibility for the maintenance and security of client records or make arrangements for the security and maintenance of client records. Members shall make best efforts to ensure that the designate be a member of the College;
 - b) ensure that former clients have access to the client record for the prescribed retention period; and,
 - c) inform the College of these arrangements prior to ceasing to provide psychological services or at the earliest reasonable opportunity.
- (2) A member in private practice shall make arrangements for the security and maintenance of private practice client records in the event of the member's incapacity or death. The member shall inform the College of these arrangements. Members shall make best efforts to ensure that the designate be a member of the College.

9.8.2 In Employment Settings

- (1) A member who plans to or ceases to provide psychological services shall:
 - a) take reasonable steps to ensure the maintenance and security of client records;
 - b) take reasonable steps to ensure that former clients have access to the client record for the prescribed retention period.

10. Assessment and Intervention

10.1 Familiarity with Tests and Techniques

Members shall be familiar with the standardization, norms, reliability, and validity of any tests and techniques used and with the proper use and application of these tests and techniques.

10.2 Familiarity with Interventions

Members shall be familiar with the evidence for the relevance and utility of the interventions used and with the proper use and application of these interventions.

10.3 Rendering Opinions

A member shall render only those professional opinions that are based on current, reliable, adequate, and appropriate information.

10.3.1 Review Without Evaluation

When, as part of a psychological service, a member conducts a review of a client record and the evaluation of the client is not necessary, the member shall document this and indicate the sources of information used to form his/her opinions.

10.4 Identification of Limits of Certainty

A member shall identify limits to the certainty with which diagnoses, opinions, or predictions can be made about individuals or groups.

10.4.1 Documentation of Sources of Data

In situations in which all reasonable attempts have been made to conduct an evaluation of a client but a complete evaluation is not possible, a member shall ensure that the efforts made to conduct the evaluation and the obstacles encountered are documented. Additionally, a member shall indicate the extent to which the availability of only limited information influenced the certainty of his/her opinion.

10.5 Freedom from Bias

A member shall provide professional opinions that are clear, fair and unbiased. A member shall make reasonable efforts to avoid the appearance of bias.

10.6 Clarity of Communication

A member shall make reasonable efforts to present information in a manner that is likely to be understood by the client.

10.7 Use of Computer-Generated Reports

Computer-generated assessments, reports or statements shall not be substituted for a member's professional opinion.

10.8 Protection of Test Security

A member shall protect the security of tests and respect test copyright. To this end a member shall distinguish between test data and test materials. When reasonable and appropriate, raw data from standardized psychological tests and other test data shall, upon request and with proper authorization, be released to clients and others. Test material, such as test questions and stimuli, manuals, and protocols should not be released.

11. Fees/Contract for Services

11.1 Fees and Billing Arrangements

A member shall reach an agreement with an individual, group or organization concerning the psychological services to be provided, the fees to be charged and the billing arrangements prior to providing psychological services. Any changes in the services to be provided shall be agreed to by the client before service is delivered or fees are changed. Fees shall be based on the amount of time spent and complexity of the services rendered.

11.2 Ancillary Charges

11.2.1. Interest and Missed Appointments

A member may charge:

- a) interest on an overdue account; or
- b) a fee for a missed appointment or late cancellation when prior notice is not given within an agreed upon period of time, provided that the client is informed at the time when billing arrangements are discussed.

11.2.2. Administrative Fees

A member may charge a fee for other services such as:

- a) preparing special reports;
 - b) copying records; or
 - c) completing forms (e.g., Disability Tax Forms, Insurance Forms)
- provided this is discussed prior to the service being undertaken.

11.3 Collection of Unpaid Fees

A member shall inform the client of the intention to use a collection agency or other legal options to collect fees and shall provide an opportunity for payment to be made before doing so.

11.4 Retainers

A member shall not ask a client to prepay for any psychological services including preparation of reports. Funds may be held in trust if agreed to by the client and the member. These trust funds shall only be applied to services rendered and any excess shall be returned to the client following the termination or conclusion of services.

12. Impairment

12.1 Impairment Due to Health Factors

A member shall not undertake or continue to provide psychological services when the member is, or could reasonably be expected to be, impaired due to mental, emotional, physiological, or pharmacological or substance abuse conditions. If such a condition develops after psychological services have been initiated, the member shall discontinue the psychological services in an appropriate manner. The member shall make reasonable efforts to ensure that clients are notified and assisted in obtaining replacement services to ensure continuity of care.

13. Professional Objectivity

13.1 Compromised Objectivity, Competence or Effectiveness Due to Relational Factors

A member shall not undertake or continue to provide psychological services with an individual client when the objectivity, competence or effectiveness of the member is, or could reasonably be expected to be, impaired because of the member's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship with the client or a relevant person associated with the client. This prohibition does not apply if the services are delivered to a corporate client and the nature of the professional relationship is neither therapeutic nor vulnerable to exploitation.

13.2 Compromised Objectivity, Competence or Effectiveness Due to Other Factors

A member shall not undertake or continue to provide psychological services when personal, scientific, professional, legal, financial or other interests could reasonably be expected to:

- a) impair his/her objectivity, competence or effectiveness in delivering psychological services; or
- b) expose the client to harm or exploitation.

13.3 Avoidance of Undue Influence on Clients

A member shall not persuade or influence a client to make gifts or contributions of any kind.

13.4 Avoidance of Exploitation

- (1) A member shall not use information obtained during the provision of psychological services to directly or indirectly acquire advantage over or exploit the client or to improperly acquire a benefit.
- (2) A member shall not exploit persons over whom he/she has supervisory, evaluative or other authority such as clients, students, supervisees, research participants or employees.

13.5 Relations with Current or Former Clients

A member shall not enter or make plans to enter into an intimate or sexual relationship with a current client or a former client where the psychological services were provided within the previous two years. Even after two years, a member shall not enter into an intimate or sexual relationship with a former client when the member knows or reasonably ought to know that the former client may require future service or some other professional involvement specifically from them. This does not apply to relationships with employees of a corporate client unless the psychological service provided to the particular individual was either intended to be therapeutic or the individual is vulnerable to exploitation.

13.6 Gifts from Clients

A member shall not accept a gift of more than token value from a client. In accepting even a small gift, the member must carefully consider the potential clinical implications of this.

14. Harassment and Sexual Relationships

14.1 Sexual Harassment

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

- a) the use of power or authority in an attempt to coerce another person to engage in or tolerate sexual activity. Such uses include explicit or implicit threats of reprisal for noncompliance or promises of reward for compliance;
- b) engaging in deliberate and/or repeated unsolicited sexually oriented comments, anecdotes, gestures, or touching, where the member knows or ought to know that such behaviours are offensive and unwelcome, or creating an offensive, hostile, or intimidating professional environment; and
- c) engaging in physical or verbal conduct of a sexual nature when such conduct might reasonably be expected to cause harm, insecurity, discomfort, offence, or humiliation to another person or group.

14.2 Other Forms of Harassment

A member shall not engage in any verbal or physical behaviour of a demeaning or harassing nature in any professional context.

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

A member shall not engage in a sexual relationship with an individual with whom the member has a current evaluative relationship or with whom the member might reasonably expect to have a future evaluative relationship.

15. Use of Technology in the Provision of Psychological Services

The College has adopted the Association of Canadian Psychological Regulatory Organization Model Standards for Telepsychology Practice as a Practice Advisory for all members which are reflected in the following Standard:

Regardless of the modality used for service delivery, members are expected to practice according to all of the statutes, regulations, standards, codes of ethics applicable to them in their home jurisdictions and those in which any of their clients receive their services.

In addition to the general responsibilities for providing psychological services as noted above, the following must be observed in the provision of services via telepsychology:

15.1 Registration in Home Jurisdiction

Members will be licensed in “good standing” within the jurisdiction in which they reside. If holding provisional/candidate licensure, psychologists will be supervised in all telepsychology practice by a psychologist licensed in “good standing” within the jurisdiction. As such the expectation is that psychologists conform to any and all rules, regulations, and standards established within the home jurisdiction.

15.2 Services Outside of Home Jurisdiction

Members delivering telepsychology services outside of their home jurisdiction will ensure they are legally entitled to do so.

15.3 Complaints

Members will inform clients about who they may complain to if there is a problem with the services received, providing the contact information for the responsible regulatory body.

15.4 Familiarity with Jurisprudence

Members will be familiar with the local jurisprudence and standards for practice in the jurisdiction in which the service is being delivered. Where there is a conflict between such laws/regulations/standards and those of members’ home jurisdiction, members must act according to the higher standard.

15.5 Liability Insurance

Members delivering telepsychology services outside of their home jurisdiction will ensure they carry appropriate liability insurance with respect to such service.

15.6 Competence in Use of Technology

Members will be competent in the technology of the service delivery medium.

15.7 Privacy

To minimize the possibility of someone impersonating a client and gaining access to confidential health information, or influencing a psychologist's assessment or opinion of the client, members will use some form of coded identification of the client in cases where live visual verification is not possible.

15.8 Technological Failure

Members will make plans with clients regarding what will happen in the event of technological failure.

DRAFT

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: PROPOSED AMENDMENT TO *BY-LAW 25: THE REGISTER AND RELATED MATTERS*

MOVER: TBD

RATIONALE: Following consultation with the membership, *Transparency Initiative #5* related to placing the registration status of members with other regulators (inside or outside of the province) on the public register, there appears to be support for this however it is suggested that posting be limited to other “health” professions. The circulation of the By-law, as required, should be deferred until other Transparency Initiatives, if any, are approved.

MAIN MOTION: THAT *BY-LAW 25: THE REGISTER AND RELATED MATTERS* BE AMENDED TO REFLECT *TRANSPARENCY INITIATIVE #5* RELATED TO PLACING THE REGISTRATION STATUS OF MEMBERS WITH OTHER HEALTH REGULATORS (INSIDE OR OUTSIDE OF THE PROVINCE) ON THE PUBLIC REGISTER WITH CIRCULATION OF THIS DEFERRED UNTIL OTHER INITIATIVES ARE CONSIDERED.

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Memo: Feedback from College’s Consultation on Three Proposed Transparency Initiatives
- Consultation Document



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Feedback from College's Consultation on Three Proposed Transparency Initiatives

Council Action Required:

*Transparency Initiative #5: Placing the registration status of members with other regulators (inside or outside of the province) on the public register – Approve a change to **By-Law 25: The Register and Related Matters** to permit the posting of the registration status of members with other "health" regulators either inside or outside of Ontario. Defer circulation of the By-law until further Transparency changes, if any, are approved.*

Transparency Initiative #6: Placing the discipline history of members with other regulators (inside or outside of the province) on the public register – No Action Required: Defer decision pending further legal advice.

Transparency Initiative #7: Placing relevant information from criminal proceedings on the public register – No Action Required: Defer decision pending further discussion by Executive including the need for further legal advice.

Consultation:

The College undertook a consultation (Consultation Document attached) with stakeholders regarding three possible College's transparency initiatives; the three noted above.

The College distributed the consultation document to all (over 4,000) members on May 12, 2016. Members were asked to respond by July 22, 2016.

In all 612 individuals responded to the survey although not all individuals responded to all of the questions. In addition to individual member responses, the College also received written submissions from the Ontario Association of Psychological Associates (OAPA) and the Canadian Academy of Psychologists in Disability Assessment (CAPDA).

The survey responses are summarized below:

Profile of Survey Respondents					
Total # of respondents to College's transparency consultation: 612					
Member of College	Member of the Public	Member of another health regulatory College	Association or other group	Other	Did not identify
584 (95%)	4 (<1%)	0	0	0	24 (4%)

Question re. Transparency Initiative #5: n = 524 responses				
The College should place the registration status of members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.				
Strongly oppose	Oppose	Neutral	Agree	Strongly agree
18 (3%)	36 (7%)	Total:	226 (43%)	121 (23%)
Total opposed: 54 (10%)		123 (24%)	Total in agreement: 347 (66%)	

58 survey respondents provided additional comments. The most common of these were the following:

- This information will help the public be better informed about their service provider and therefore enhance public protection.
- It would be good for the public to have this information all in one place on the College site.
- This would be good to protect the public from “bad actors” that move from one province or profession to another.
- This will be fair if the College also includes remediation activities undertaken by the member.
- Might be useful to identify which Master’s-level practitioners have registered outside of the province.
- It would be good to know if, in the other province, a member has restrictions on diagnosis.
- This is the role of other regulators, not the College; it is beyond the mandate of the College.
- This information would be available through web searches and/or on the websites of other regulators - it is duplication for the College to include it on its website.
- More clarity is needed regarding the pros and cons of this, how it would be implemented, and associated costs.

Question re. Transparency Initiative #6: n = 508 responses				
The College should place the discipline history of members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.				
Strongly oppose	Oppose	Neutral	Agree	Strongly agree
36 (7%)	68 (13%)	Total:	218 (43%)	118 (23%)
Total opposed: 104 (20%)		68 (13%)	Total in agreement: 336 (66%)	

90 survey respondents provided additional comments. There seemed to be some confusion about the question as a number of members asked about the definition of “other regulatory bodies”.

The most frequent comments made by respondents were:

- This is important to provide full information and protect the public.
- There need to be criteria regarding what is listed – is it serious, recent, relevant to practice?
- Not all history should be listed – only those cases where there have been a conviction/disciplinary findings of professional misconduct, sexual abuse etc.
- There needs to be sensitivity around this and a clear benefit to the public.
- What about if a professional had had issues but has now remediated their practice? Will the public be able to understand this or will that member’s reputation be forever damaged?
- Will “questionable”, wrongful accusations, frivolous or vexatious complaints be included? This could harm a member’s reputation for no reason.
- There need to be criteria regarding the disciplinary findings regarding: relevancy to psychology practice; severity; whether sanctions are still in effect; and how recently the discipline occurred etc.
- Can the College have confidence in the disciplinary processes of other regulatory bodies? What if the other regulatory body did not investigate or handle the case properly? Perhaps this could harm

a member's reputation and put their livelihood at risk regarding issues that would not have been handled in the same way in Ontario.

- This is outside of the scope and mandate of the College.

Question re. Transparency Initiative #7: responses n = 503 responses				
The College should place relevant information from criminal proceedings on the public register through an amendment of the by-laws.				
Strongly oppose	Oppose	Neutral	Agree	Strongly agree
40 (8%)	73 (14%)	Total:	203 (40%)	112 (22%)
Total opposed: 113 (22%)		75 (15%)	Total in agreement: 315 (62%)	

111 respondents provided additional comments.

By far, the most frequently submitted comments were:

- The College must define "proceedings" and "relevant".
- The College must clarify the process regarding who and how the College will be determining "relevance".
- Only findings of guilt/convictions should be listed.

Additional comments that were provided by many respondents included:

- The safety of clients is the most important thing.
- This information is necessary to allow patients to make informed choices in accessing psychological services.
- There needs to be a balance between the safety of the public and the privacy of members.
- Individuals should be considered innocent until proven guilty.
- Charges should not be listed unless they are related to violent or sexual crimes.
- It may take years for a case to work its way through the legal system and during that time a member's reputation may be tainted if charges are made public, even though in the end the individual may be found innocent.
- Once information is posted a member's reputation may be damaged, even if charges are unfounded or dropped. Once information has been made public on the internet the information cannot be "unseen".
- The nature of proceedings must be considered – what about long-ago shoplifting convictions or routine traffic or speeding violations? What about pardoned convictions?
- Convictions should not be listed until all appeals have been exhausted.
- Due to the nature of psychological practice, our members may be more vulnerable to wrongful, fraudulent or vexatious allegations; that is one of the reasons charges should not be listed.
- If the proceedings are not related to the practice of psychology, the information should not be on the College website.
- There should be a process for determining if listing the conviction is necessary for public protection. The College shouldn't just be making all information public – this is a disservice to members and doesn't enhance public safety
- How will the College handle convictions that have occurred many years before?

Summary:

- With the exception of the two associations (CAPDA and the OAPA), virtually all respondents to the consultation were College members.

- Many of the comments provided by members and the two associations highlighted that while there is a push for greater transparency on the part of all health Colleges, the practice of psychology may have some significant differences with other health professions. The differences mentioned most frequently were that:
 - College members work more closely in one-on-one and long-term relationships with clients than, for example, pharmacists. This increases the scrutiny of their practice and the risk of clients bringing complaints to the College.
 - College members work with individuals who may have significant mental illness, potentially rendering the health care provider more vulnerable to frivolous, vexatious or unfounded allegations.
 - College members may work in highly contentious areas such as: custody and access; child protection; parenting capacity; and personal injury. Working in these areas may increase the likelihood that individuals who disagree with members' assessments and recommendations may complain to the College or press charges.
 - A great number of College members work in private practice, rather than in publicly-funded institutions. Due to this, any damage to their reputation due to the transparency initiatives suggested could have a significant impact on their reputation and livelihood.

Analysis:

- There was fairly consistent (between 62 – 66%) but not overwhelming support for all three proposed Transparency Initiatives.
- Members had a number of significant questions regarding definitions (relevance, proceedings etc.); processes the College would use for determining what information would be added to the public register; and, the implementation processes.
- Members had the greatest number of questions and expressed some trepidation regarding Transparency Initiative #7. While there was some support regarding adding information of criminal convictions, it was expressed that adding information regarding allegations, on-going proceedings, convictions under appeal etc. might not be fair to members. Concerns were also expressed regarding the nature/severity/relevancy/time elapsed since convictions to be made public, balancing the member's right to privacy with public safety considerations etc. This initiative, if undertaken by the College, will likely be the most sensitive and complex to implement.

Transparency Initiative #5

The Executive Committee reviewed the responses to the consultation at its recent meeting in August. The Committee noted that the proposal suggested that the College consider posting the registration status of members with *"other regulators"*. This raised the question regarding the relevance of posting members' *"non-health"* profession registration status and question how this would fit within the College mandate of protecting the public. While it was suggested that there may be some relevant *non-health* registrations, it would be very difficult to "pick and choose" which to include. Considering the responses of members to the survey as well as this concern, the Executive Committee felt that Transparency Initiative #5 should be supported but posting limited to members' registration status with *"other health regulated professions"* in or outside of the province.

As with any amendments to the Register, this change would require a formal amendment to *By-law 25: The Register and Related Matters* which would include circulation to the membership. While recommending this change, the Executive also noted that such circulation should be deferred until

decisions have been made on all Transparency Initiatives permitted a single circulation showing all proposed changes.

Transparency Initiative #6

In reviewing the feedback for Transparency Initiative #6, the Executive considered whether this should include posting the discipline history of all regulators to which the member belonged; only other health regulators; or, only discipline history as it is relevant to the practice of psychology.

It was agreed that it would be very difficult to make decisions regarding 'relevance to the practice of psychology' and therefore, if this initiative was to move forward, all discipline history should be posted. The Executive Committee discussed the concern raised in the survey about accepting the discipline processes in other provinces. Concern was expressed that there was no way for the College to evaluate the strictness or leniency of the discipline processes in other jurisdictions. This suggested that there may be more or less discipline action in other jurisdictions as compared with Ontario, as there is no common definition.

It was noted that under section [51.1(b)] of the *Health Professions Procedural Code (Code)* of the *Regulated Health Professions Act, 1991 (RHPA)*, a finding of professional misconduct by a health profession regulator in any jurisdiction outside of Ontario must be considered as possible professional misconduct in Ontario. That is, if the College receives information about a finding of professional misconduct from another jurisdiction, the College is obligated to take this to a discipline panel. If the panel determines that the action deemed professional misconduct in the other jurisdiction is also professional misconduct in Ontario, then the panel would find that the member has committed professional misconduct in Ontario. As with all current discipline findings by our College, these would be posted on the public register.

In discussing this Initiative, a number of questions were raised. As noted, professional misconduct in another jurisdiction would be looked at as possible professional misconduct in Ontario. If a subsequent finding were made in Ontario based on this information, would the discipline decision of the other regulators continue be posted? As well, if the action was found not to be professional misconduct in Ontario, would the discipline decision of the other regulators continue be posted? In addition, the *Code* provides for the need to review professional misconduct decisions by regulators outside of Ontario but does not refer to other health regulators in Ontario. The College needs to clarify the process for handling finding of professional misconducts by a College within Ontario.

Given the number of questions raised by the survey, the Executive Committee requests that Council defer consideration of Transparency Initiative #6 until legal advice can be obtained regarding the concerns noted. In addition, the survey responses raised a number of questions with regard to **Transparency Initiative #7** related to posting of 'criminal proceedings'. As a result, the Executive Committee wishes to discuss this further, and asks that a Council decision on this matter be deferred.



THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO

CONSULTATION ON PROPOSED TRANSPARENCY INITIATIVES

Please respond by July 22, 2016

Introduction

The Council of the College of Psychologists is considering a number of *Transparency Initiatives* some of which pertain to the publication of information about members on the public register. Publication of such information requires an amendment to *By-Law 25: The Register and Related Matters*. According to section 94(2) of the *Health Professions Procedural Code* of the *Regulated Health Professions Act (1991)* such changes must be circulated to the membership at least 60 days in advance of their approval by Council.

Please review the following information on *Transparency* and the proposed initiatives and provide your comments to the College by Friday, July 22, 2016. Feedback may be sent to transparency@cpo.on.ca or you can complete the simple survey found at: <http://survey.constantcontact.com/survey/a07ecof31ttio4iux31/start>.

Background

Transparency is a priority of the Ministry of Health and Long-Term with Minister Eric Hoskins encouraging all Health Regulatory Colleges to review their policies and procedures with a view to increasing the level of transparency with which they operate.

The Ministry has a vision that: *Ontario's health professional regulatory colleges will be 'open by default'. Colleges will be a trusted source of credible, relevant and timely information about regulated health professionals for the public.*

In this context, *Transparency* means;

- ✓ *Making More Information Publicly Available* i.e., access to reliable and credible information about their regulated health care providers
- ✓ *Decision-Making Process More Open and Accountable* i.e., provide meaningful opportunities for the public to inform college decision-making
- ✓ *Driving a Culture of Transparency* i.e., enable colleges to promote a culture that makes transparency the norm, rather than the exception.
- ✓ *Having Information that is Easy to Understand* i.e., make information more accessible and easily understandable

In addition to the work being done by individual Colleges, in October 2015, the Ministry established a Transparency Working Group to further their *Transparency Vision*. The Working Group is co-chaired by a representative from the Ministry and one from the Regulatory Health Colleges. Its membership is comprised of representatives from the Health Regulatory Colleges, the wider health sector as well as members of the public.

Transparency Principles

In 2012, a group of Health Regulatory Colleges formed the *Advisory Group for Regulatory Excellence (AGRE)* and developed eight transparency principles seen to be foundational values to guide transparency decision-making. While not binding on other Colleges, the *AGRE* principles have been widely discussed by all Colleges in reviewing their transparency initiatives. These principles state:

1. *The mandate of regulators is public protection and safety. The public needs access to appropriate information in order to trust that this system of self-regulation works effectively.*
2. *Providing more information to the public has benefits, including improved patient choice and increased accountability for regulators.*
3. *Any information provided should enhance the public's ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible and accurate.*
4. *In order for information to be helpful to the public, it must:*
 - *be timely, easy to find and to understand.*
 - *include context and explanation.*
5. *Certain regulatory processes intended to improve competence may lead to better outcomes for the public if they happen confidentially.*
6. *Transparency discussions should balance the principles of public protection and accountability, with fairness and privacy.*
7. *The greater the potential risk to the public, the more important transparency becomes.*
8. *Information available from colleges about members and processes should be similar.*

In September 2015, the Council of the College of Psychologists reviewed the *AGRE* principles and, after careful deliberation, endorsed them as a reasonable and sound framework for transparency decision-making.

Transparency Initiatives

In late 2014, at the request of the Ministry, the College reviewed its current transparency practices with a view to considering other transparency initiatives that could be undertaken. As a result of this review, the College undertook to discuss, publicly consult on and, where appropriate, implement the following transparency measures.

1. Expanding the focus of transparency in the College's strategic plan.
2. Reviewing the completeness of the content of the College's website.
3. Placing information on the College website about prosecutions of unauthorized practice or of individuals who are holding themselves out as qualified to practice as psychologists or psychological associates, contrary to the *Psychology Act, 1991*.
4. Reviewing its consultation process for regulations, by-laws and policies to ensure that all members of the public have a full opportunity to participate effectively in the process.
5. Placing the registration status of College members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.
6. Placing the discipline history of College members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.
7. Placing relevant information from criminal proceedings on the public register through an amendment of the by-laws.
8. Placing significant/relevant complaints decisions on the public register through an amendment of the by-laws.

9. Placing additional significant/relevant information about practitioners obtainable from other regulators on the public register through an amendment of the by-laws.
10. Placing confirmations made under 36(1)(g) of the *RHPA* when the College is investigating a member, where there is a compelling public interest in the disclosure of that information, on the public register through an amendment of the by-laws.
11. Developing and publishing guidelines articulating when discretionary disclosure of information will be made including the circumstances where the College will report apparently criminal behaviour by practitioners to the police.

Current Status of Initiatives

Of the 11 *Transparency Initiatives* listed, four (1-4) are in process or have been completed. Three more (5-7) are the subject of this consultation and the remainder (8-11) will be the subject of future discussion and consultation.

Initiatives In Process or Completed

1. Expanding the focus of transparency in the College's strategic plan.

The College's Strategic Plan is current through 2016. A review is being initiated during which Council will consider the expanding focus on transparency in setting its goals and priorities.

2. Reviewing the completeness of the content of the College's website.

The College has reviewed the completeness of the website content and this is an ongoing process ensuring that the website contains up-to-date, relevant information for both members and the public.

3. Placing information on the College website about prosecutions of unauthorized practice or of individuals who are holding themselves out as qualified to practice as psychologists or psychological associates, contrary to the Psychology Act, 1991.

When necessary, the College takes action against individuals against for unauthorized practice or for holding out themselves out as qualified to practice. This information is published in the College e-Bulletin at the time of the action and is then placed on the College website under *Notices of Unauthorized Practice* (www.cpo.on.ca/Notices_of_Unauthorized_Practice.aspx).

4. Reviewing its consultation process for regulations, by-laws and policies to ensure that all members of the public have a full opportunity to participate effectively in the process.

The College undertakes consultations on a variety of issues of relevance to members and the public. Such consultations are very important to the College in conducting its work and it is recognized that the feedback from those contributing should be part of the consultation cycle. To this end, the College will be publishing summaries of the consultation feedback on the College website and monitoring the response to this information.

Another step has been taken to further ensure that members of the College and the public are more fully informed of the workings of the College Council. At the April 2016 meeting, a decision was made at to publish the materials prepared for Council use at their meetings. Effective for the next meeting in June 2016, the agenda of items to be discussed along with the supporting documentation will be available in the week prior to the meeting. This material will be available in the *Resources* section of the College website (www.cpo.on.ca/Resources.aspx?m=70).

Consultation on Other Transparency Initiatives – A Two-Step Process

As noted above, a number of the transparency initiatives (5 – 11) pertain to information about members to be made available to the public in the Register on the College website. Publication of such information requires an amendment to *By-Law 25: The Register and Related Matters*. According to section 94(2) of the *Health Professions Procedural Code* of the *Regulated Health Professions Act (1991)* such changes must be circulated to the membership at least 60 days in advance of their approval by Council.

Given the importance of these matters, the College has decided to undertake the consultation in two stages, limiting the current consultation to initiatives numbers 5 - 7.

Transparency Initiatives Stage One

5. *Placing the registration status of College members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.*

Currently, the College collects information from members about their registration status with psychology regulatory boards outside of Ontario. In addition, members provide information about their regulation status with any other professional regulatory board, whether in or outside of Ontario. If this were included in an amendment to *By-Law 25: The Register and Related Matters*, the College would post information about current licenses and certificates of registration held by members in other jurisdictions on the public register.

6. *Placing the discipline history of College members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.*

If initiative #5 (above) is approved by Council then the registration status of members with other regulators, either inside or outside of the province, would be available on the public register. As an adjunct to this, the current initiative would, in addition, note any professional misconduct or incompetence findings about members which have been adjudicated in these other jurisdictions. Currently, the public register does contain information regarding discipline findings of professional misconduct or incompetence adjudicated by the College in Ontario and this would add the findings adjudicated by other regulators.

7. *Placing relevant information from criminal proceedings on the public register through an amendment of the by-laws.*

A number of Health Regulatory Colleges are now placing information about criminal proceedings related to members on their public registers. In this regard, *criminal proceedings* would include:

- (a) Criminal Charges: *Criminal Code* charges, relevant to practice, known to the College. Information will include the fact and content of the charge; and the place and date of the charge, if known. The information will be removed when the charge is no longer outstanding;
- (b) Bail Conditions: information about any bail conditions if known to the College and if these have been determined to be relevant to the member's ability to practice; and,
- (c) Criminal Convictions: all *Criminal Code* convictions, relevant to practice, known to the College. Information will include the finding and the sentence. If under appeal, a notation indicating this and the dates of this information, if known. The information would be removed, upon request, if the appeal is successful or the member has received a "pardon" or "records suspension".

Please review the information on *Transparency* and the proposed initiatives 5 – 7 and provide your comments to the College by July 22, 2016. Your feedback can be sent to transparency@cpo.on.ca or you can complete the simple survey found at: <http://survey.constantcontact.com/survey/a07ecof31ttio4iux31/start>.

Future Planning - Transparency Initiatives Stage Two

Following the consultation on the above items, information will be brought to Council regarding consultation on the remaining proposed transparency measures (8-11). These would include:

8. *Placing significant/relevant complaints decisions on the public register through an amendment of the by-laws.*
9. *Placing additional significant/relevant information about practitioners obtainable from other regulators on the public register through an amendment of the by-laws.*
10. *Placing confirmations made under 36(1)(g) of the Regulated Health Professions Act, 1991 when the College is investigating a member, where there is a compelling public interest in the disclosure of that information, on the public register through an amendment of the by-laws.*
11. *Developing and publishing guidelines articulating when discretionary disclosure of information will be made including the circumstances where the College will report apparently criminal behaviour by practitioners to the police.*

The College is monitoring the work of the Transparency Working Group of the Ministry of Health and Long-Term Care and, will provide updates to members as decisions are made or guidelines developed regarding cross-College *Transparency Initiatives*.

Thank you for your feedback!

MOTION SUBMISSION FORM**MEETING: 2016.03****DATE: September 30, 2016**

SUBJECT: PROPOSED AMENDMENT TO BY-LAW 5: SELECTION OF COMMITTEE CHAIRS AND COMMITTEE MEMBERS

MOVER: TBD

RATIONALE: Concern regarding the decrease in the number of Psychological Associates expressing interest in serving on College Committees was raised at the Council Meeting on June 17, 2016. The Executive Committee was asked to review *By-Law 5: Selection of Committee Chairs and Committee Members* specifically, 5.11.

To address this issue, a number of options were discussed. These included changing the wording from **requiring** both titles on all Committees to **encouraging** both titles be represented; removing the requirement for both titles to be represented; or, requiring representation by both Ph.D. and Masters level practitioners. The Executive Committee determined that the best option was to change the wording of section 5.11 such that representation by both titles is encouraged not required. That is, changing the wording:

From: *5.11 Both Registration Titles will be represented on all statutory committees.*

To: *5.11 The College will endeavor to have both titles represented on all statutory committees.*

MAIN MOTION: THAT THE PROPOSED AMENDMENT OF BY-LAW 5.11: SELECTION OF COMMITTEE CHAIRS AND COMMITTEE MEMBERS BE APPROVED FOR CIRCULATION TO MEMBERSHIP.

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Tracked changes of *By-Law 5: Selection of Committee Chairs and Committee Members* with the proposed changes.

BY-LAW 5: SELECTION OF COMMITTEE CHAIRS AND COMMITTEE MEMBERS

[Approved by Council on June 11, 1994; amended on March 4, 1995, December 2002, March 14, 2003, September 2007, March 27, 2009]

This by-law is made under the authority of the Regulated Health Professions Act, 1991 as amended, and the Psychology Act, 1991 as amended.

- 5.1 The Council may by resolution establish committees additional to those established through Section 10 of the Code.
- 5.2 At least two months prior to first meeting of Council following the annual election, College members will be notified of the opportunity to put their names forward for possible appointment to a committee of the College. In addition to other information, College members, interested in appointment to a committee will be required to submit a resume.
- 5.3 At the meeting of Council preceding the annual election prescribed in the Bylaws, the President will advise the Council of the process for Committee appointments and for indicating their committee preference. At least one month prior to first meeting of Council following the annual election, all Council members will be notified of the opportunity to submit their preferences for appointment to committees of the College.
- 5.4 The Nominations and Leadership Development Committee will prepare a list of suggested appointees from the College membership to the committees of the College. This list will be provided to the Executive Committee at the first meeting of Council following the annual election.
- 5.5 During, or in the 24 hours immediately following the first meeting of Council following the annual election, the Executive Committee shall appoint the Chairs and the members of the committees identified in subsection 5.1 as well as those designated in section 10 of the Code.
- 5.6 The Executive Committee will advise Council of the committee appointments within five business days of the first meeting of Council following the annual election.
- 5.7 A majority of the members of a committee, other than a committee prescribed in section 10 of the Code, constitutes a quorum.
- 5.8 Where one or more vacancies occur in the membership of a committee during the year, so long as the number is not fewer than the prescribed quorum, the committee may continue to conduct its business.
- 5.9 The Executive Committee may and, if necessary for a committee to achieve its quorum, shall appoint members of the Council, or of the College where required, to fill any vacancies which occur in the membership of a committee to take effect immediately and to be reported to Council at its next meeting.
- 5.10 Every appointment to a committee automatically expires at the first meeting of Council following the annual elections unless otherwise prescribed in subsection 3(d) of By-law 21: Committee Composition; or any provision to the contrary in the Code, the By-laws or the policies of the College.
- 5.11 ~~Both registration titles will be represented on all statutory committees.~~ The College will endeavor to have both titles represented on all statutory committees.

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: PROPOSED AMENDMENT TO *BY-LAW 20: ELECTION TO COUNCIL*

MOVER: TBD

RATIONALE: At the Council meeting in June 2016, a number of changes were approved to *By-Law 20: Election to Council*. Subsequent to the meeting some additional revisions to the criteria for the appointment of academic members came to light.

MAIN MOTION: THAT THE PROPOSED AMENDMENTS TO *BY-LAW 20: ELECTION TO COUNCIL* BE APPROVED FOR CIRCULATION TO THE MEMBERSHIP

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Memo: Additional Changes to By-Law 20 - Election to Council
- Tracked changes version of *By-Law 20: Election to Council* with explanations of the various changes being proposed.



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: **Additional Changes to By-Law 20 - Election to Council**

At the Council meeting in June 2016 a number of changes were approved to *By-Law 20: Election to Council*. These amendments included: changes to the process for opting into Electoral District 7 (Psychological Associate); housekeeping items related to the use of the online nominations and balloting processes; and, changes to the criteria for the appointment of academic members.

Subsequent to the meeting some additional revisions to the criteria for the appointment of academic members came to light. Specifically these include:

- 20.3 - Clarification of the composition of the professional training programs that will be making recommendations to Council for Academic Representation; and,
- 20.8(1)(a) - Changes to the language setting out eligibility of a member who holds a full-time appointment in order to make it consistent with that of a member with an adjunct appointment [(20.8(1)(c)ii] as approved by Council at the June 2016 meeting.

The additional changes are shown in the attached *By-Law 20: Election to Council*. The Executive Committee reviewed the changes at their meeting on August 19, 2016 and recommends them to Council for approval.

**BY-LAW 20: ELECTION TO COUNCIL, QUALIFICATIONS, TERMS OF OFFICE
AND CONDITIONS FOR DISQUALIFICATION**

[Approved by Council December 1999; amended September 2000; September 2003; December 2004; March 27, 2009, December 14, 2012, March 2013, June 2016]

This by-law is made under the authority of the Regulated Health Professions Act, 1991 as amended, and the Psychology Act, 1991 as amended.

Electoral Districts

20.1 The following electoral districts are established for the purpose of the election of members to the Council.

1. Electoral District 1 (North) to be composed of the districts of Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Timiskaming, Manitoulin, Nipissing, and Parry Sound, and the City of Greater Sudbury.
2. Electoral District 2 (Southwest) to be composed of the counties of Bruce, Grey, Huron, Perth, Wellington, Dufferin, Lambton, Middlesex, Oxford, Brant, Essex, Kent, Elgin, Norfolk and Haldimand and the Regional Municipality of Waterloo.
3. Electoral District 3 (Central) to be composed of the District Municipality of Muskoka, and the counties of Haliburton, Hastings, Lennox and Addington, Frontenac, Simcoe, Northumberland, and Prince Edward, City of Peterborough, City of Kawartha Lakes and the Regional Municipalities of Halton, Hamilton-Wentworth, and Niagara, and the Regional Municipality of Durham (less the Towns of Whitby and Ajax and the Cities of Pickering and Oshawa), the Regional Municipality of York (less the City of Vaughan, and Towns of Richmond Hill and Markham), and the Regional Municipality of Peel (less the Cities of Mississauga and Brampton).
4. Electoral District 4 (East) to be composed of the counties of Lanark, Renfrew, Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry, and the City of Ottawa.
5. Electoral District 5 (GTA East) to be composed of the addresses within the City of Toronto which have postal codes beginning with M1, M2, M3, and M4, and the City of Vaughan, Town of Richmond Hill, Town of Markham, City of Pickering, City of Ajax, Town of Whitby and City of Oshawa.
6. Electoral District 6 (GTA West) to be composed of the addresses within the City of Toronto which have postal codes beginning with M5, M6, M7, M8, and M9 and the City of Mississauga and the City of Brampton.
7. Electoral District 7 (Psychological Associates) to be composed of the constituency of Psychological Associates.

8. District 8 (Academic) to be composed of professional training programs in psychology at Post Secondary educational Institutions in Ontario granting graduate level degrees in psychology.

Eligibility to Vote

20.2 (1) A member who, on the date of the election, holds a certificate authorizing autonomous, interim autonomous, or supervised practice, or an academic, inactive or retired certificate of registration is eligible to vote.

- (2) The electoral district in which a member is eligible to vote is the district in which, on January 1 of the year in which an election is held, the member principally practises, or if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides.

- (3) A member holding a certificate of registration as a Psychological Associate is eligible to vote in Electoral District 7 or in the electoral district in which the member principally practises or, if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides.

- (a) A member holding a certificate of registration as a Psychological Associate may submit a declaration to choose to vote in Electoral District 7 or in the district in which he or she principally practises or if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides. If no choice is made, the member shall be eligible to vote Electoral District 7 (Psychological Associate) . A member may not change their declaration for three years.

- (4) A member shall vote in only one electoral district.

District 8 (Academic) Representation

20.3 The members representing District 8 (Academic) are appointed to Council by the Executive Committee, upon the joint recommendation of the professional training programs in psychology at Post Secondary Educational Institutions in Ontario granting graduate level degrees in psychology from which graduates are eligible for registration with the College.

Clarifies the affiliation of the training programs which make the recommendation

Number of Members Elected/Appointed

20.4 (1) The number of members to be elected in each of Electoral Districts 1, 2, 3, 4, 5, 6, and 7 is one.

- (2) The number of members to be appointed to District 8 (Academic) is two or three.

Terms of Office

20.5 (1) The term of office of a member elected to the Council is three years.

(2) Notwithstanding paragraph (1), the term of office of a member appointed to Council for District 8 (Academic) is two years.

Election/Appointment Date

20.6 (1) In March 2016 and every third year after that, an election of members to the Council shall be held for Electoral Districts 1, 2 and 3.

(2) In March 2017 and every third year after that, an election of members to the Council shall be held for Electoral Districts 4 and 7.

(3) In March 2018 and every third year after that, an election of members to the Council shall be held for Electoral Districts 5 and 6.

(4) The Council shall set the date in March for each election of members to the Council.

(5) A member elected or appointed to Council shall take office at the first Council meeting following the election or appointment.

Eligibility for Election

20.7 (1) A member is eligible for election to the Council in Electoral Districts 1, 2, 3, 4, 5, and 6 if, on the date of the election,

- (a) the member holds a certificate of registration authorizing autonomous practice or an inactive certificate of registration;
- (b) the member is engaged in the practice of psychology in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of psychology in Ontario, is resident in the electoral district for which he or she is nominated;
- (c) the member is not in default of payment of any fees prescribed in the fees by-law;
- (d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of election; and
- (e) the member's certificate of registration has not been subject to a term, condition or limitation as a result of a disciplinary action within the last two years.

(2) A member is eligible for election to the Council in Electoral District 7 if, on the date of the elections, the member holds a certificate authorizing autonomous practice as a Psychological Associate; and,

- (a) the member meets the criteria set out in section 20.7(1) (a), (c), (d) and (e) of this by-law.

- (3) A member nominated for election to Council, who holds any position on the Board, Committee or staff of any professional psychological association involved in advocacy for the profession, must undertake to resign that position before taking office.
- (4) A member of the College who is also an employee of the College may be nominated for election to the Council so long as he or she first provides an irrevocable, written resignation of employment to the Registrar/Executive Director on or before the deadline for receipt of nominations.

Eligibility for Appointment to District 8 (Academic)

20.8(1) A member is eligible for appointment to the Council in District 8 if on the day of appointment:

- (a) the member holds a full-time appointment as a faculty member in a CPA accredited or equivalent program in a department of psychology of a degree granting institution in Ontario which grants appointment in a faculty of a department of psychology of a university in Ontario granting graduate level degrees in psychology; and
- (b) the member meets the criteria set out in section 20.7(1) (a), (c), (d) and (e) of this by-law.
- (c) Despite paragraph (a), at any given time, members appointed to the Council may:
- i. Have retired within the previous two years and has maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program; or,
 - ii. Hold an adjunct appointment as a faculty member in a CPA accredited or equivalent program in a department of psychology of a degree granting institution in Ontario which grants graduate level degrees in psychology and has maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program.

Added to make the requirement for full time appointee the same as that of a retired appointee

- (2) Academic appointees will be considered for up to three terms so long as the member of Council continues active involvement with the training program.
- (3) A member to be appointed to Council must undertake to resign, before taking office, from any position on the Board, Committee or staff of any professional psychological association involved in advocacy for the profession.

Registrar to Supervise Nominations

20.9 The Registrar shall supervise the nomination of candidates.

Notice of Election and Nominations

20.10 No later than 90 days before the date of an election, the Registrar shall notify every member who is eligible to vote, of

the date, time and place of the election and of the nomination procedure.

Nomination Procedure

20.11.(1) The member may be a candidate for election in only one electoral district in which he or she is an eligible voter.

- (a) a member recommended by the training programs to serve in District 8 (Academic) may not be nominated in a geographic electoral district.
- (2) The nomination of a candidate for election as a member of the Council shall be provided to the Registrar, in the form established by the Registrar, at least 30 days before the date of the election.
- (3) The nomination shall be agreed to by the candidate and endorsed by at least 5 members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.
- (4) At least 45 days before the date of the election, the Registrar shall notify every member who is eligible to vote of the nominations received, if any, and that nominations will be received until 30 days before the date of the election.
- (5) A candidate may withdraw his or her nomination for election to the Council by giving notice to the Registrar in writing not less than 30 days before the date of the election.
- (6) No less than 30 days before the date of the election, a member nominated for election shall provide the registrar with a one page biographical note and a candidate's statement.

Acclamation

20.12. If the number of candidates nominated for an electoral district is equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation.

Registrar's Electoral Duties

- 20.13. (1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty the Registrar may, subject to the by-laws,
- (a) appoint returning officers and scrutineers;
 - (b) establish a deadline for the receiving of ballots;
 - (c) establish procedures for the opening and counting of ballots;
 - (d) provide for the notification of all candidates and members of the results of the election; and,
 - (e) provide for the destruction of ballots following an election.
- (2) No later than 15 days before the date of an election, the Registrar shall make available to every member eligible

to vote in an electoral district in which an election is to take place:

- i. a list of the candidates in the electoral district;
- ii. each candidate's biographical note and statement;
- iii. the ballot; and,
- iv. an explanation of the voting procedure as set out in the by-laws.

Tie Votes

20.14 If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot.

Recounts

20.15. (1) A candidate may require a recount by giving a written request to the Registrar no more than 10 business days after the date of an election.

- (2) The Registrar shall hold the recount no more than five business days after receiving the request.

Disqualification of Elected or Appointed Members

- 20.16. (1) The Council shall disqualify an elected or appointed member from sitting on the Council if the elected or appointed member,
- (a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
 - (b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
 - (c) fails, without cause, to attend two consecutive regular meetings of the Council;
 - (d) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member;
 - (e) ceases either to practise or reside in the electoral district for which the member was elected;
 - (f) continues to be or becomes a member of the Board, Committee or a staff member of any professional psychological association involved in advocacy for the profession;
 - (g) ceases to hold a certificate of registration for a Psychological Associate if the member was elected to Electoral District 7;
 - (h) ceases to meet the requirements of section 20.8 (1) if the member was appointed to District 8; or,
 - (i) has been convicted of contravening a federal, provincial or territorial law, and after consideration of all of the circumstances, two-thirds of the eligible voting members of Council vote to disqualify the member.
- (2) An elected or appointed member of the Council may submit an application for any position of employment with the College so long as he or she first provides an irrevocable written resignation of his or her Council seat to the President.

Upon provision of such resignation the member shall be immediately disqualified from sitting on the Council.

- (3) An elected or appointed member who is disqualified from sitting on the Council ceases to be a member of the Council.

Filling of Vacancies

- 20.17. (1) If the seat of an elected Council member becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,
- (a) leave the seat vacant;
 - (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
 - (c) direct the Registrar to hold an election in accordance with this by-law for that electoral district.
- (2) If the seat of a Council member appointed to represent District 8 (Academic) becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,
- (a) leave the seat vacant; or
 - (b) direct the Executive to appoint a member to represent District 8 (Academic), upon joint the recommendation of the training programs.
- (3) If the seat of an elected Council member becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Council shall direct the Registrar to hold an election in accordance with this by-law for that electoral district.
- (4) If the seat of a member appointed to represent District 8 (Academic) becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Executive shall appoint a member to represent District 8 (Academic) upon the joint recommendation of the training programs.
- (5) The term of a member elected or appointed under clauses (1), (2), (3) or (4) shall continue until the time the former Council member's term would have expired.

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: PROPOSED PSYCHOTHERAPY CLARIFICATION DOCUMENT

MOVER: TBD

RATIONALE: The Psychotherapy Working Group with representatives from the Colleges whose members will have access to the controlled act of psychotherapy submitted a clarification paper to the Ministry of Health and Long Term Care, at their request. The Ministry is seeking “approval in principle” of the document, *The Controlled Act of Psychotherapy: A Clarification*, by College Council’s before pursuing the proclamation of the controlled act.

MAIN MOTION: THAT THE CLARIFICATION DOCUMENT, *THE CONTROLLED ACT OF PSYCHOTHERAPY: A CLARIFICATION*, BE APPROVED IN PRINCIPLE PENDING STAKEHOLDER CONSULTATION

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Memo: Psychotherapy as a Controlled Act: Clarification Document
- Clarification Paper: *The Controlled Act of Psychotherapy: A Clarification*



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Psychotherapy as a Controlled Act: Clarification Document and Fact Sheet

Council Action Required: To approve “in principle” the clarification document, *The Controlled Act of Psychotherapy: A Clarification*, prepared by the Psychotherapy Working Group in relation to the Controlled Act of Psychotherapy.

Background:

The Ministry of Health and Long-Term Care requested a “clarification document” regarding the definition of the Controlled Act of Psychotherapy. The Psychotherapy Working Group, a coalition of representatives from the six Colleges whose members will have access to the controlled act, submitted this document to the Ministry in December 2015. In response to this work, the Ministry requested two things:

1. That the clarification paper be reworked to make it clearer, especially with regard to the interaction between the 4th element (an individual’s serious disorder of thought, mood, emotional regulation, perception and memory) and the 5th element (that may seriously impair the individual’s judgement, insight, behaviour, communication or social functioning); and,
2. The preparation of a publicly oriented, non-technical document that would generally explain psychotherapy; what a client can expect; and the nature of the controlled act of psychotherapy.

To address the Ministry’s requests, the Working Group revised the “clarification paper” with the assistance of the communications department of the College of Nurses (attached) and also began work on a public oriented “fact sheet”, *Psychotherapy and the Controlled Act of Psychotherapy: What You Should Know*. Work continues to be done on the “fact sheet” but there was general agreement among the representatives of the relevant Colleges to take the “clarification paper” forward to the College Councils.

In late July, the representative from the College of Physicians and Surgeons reported that the Clarification Document was presented to their Executive Committee for consideration. The CPSO’s Executive Committee apparently expressed some concerns about the definition of the controlled act of psychotherapy in the *Regulated Health Professions Act, 1991 (RHPA)* and therefore concerns about the clarification document. As a result, it will not be going forward to the CPSO Council at this time.

The Working Group did not anticipate this position of the CPSO. In beginning its work, the full Working Group raised concerns with the Ministry about the definition of the controlled act but was told that the definition, as per the *RHPA*, was not negotiable. The group, including the CPSO, went forward on this basis in developing and submitting the clarification document to the Ministry in December 2015.

In speaking with the Ministry about this development, the Ministry noted that a concern has arisen related to stakeholders in the community who practice legitimately in the area of mental health and who may react negatively to the clarification documents. The Ministry suggested there might be a need to reach out to these groups and educate them about the process to ensure their understanding. The Ministry's goal is to ensure everyone who may be affected by the controlled act, or who think they may be affected by the controlled act, truly understand its implications and the intent.

At this time, the Ministry recommended that the Working Group representatives obtain Council *'approval in principle' pending stakeholder consultation*.

To date, the "clarification document" has been endorsed by the Colleges of Nurses of Ontario, the College of Registered Psychotherapists of Ontario and the Ontario College of Social Workers and Social Service Workers and is scheduled to go the Council of the College of Occupational Therapists of Ontario over the next month.

At this time, Council is being asked to *'approve in principle' pending stakeholder consultation, The Controlled Act of Psychotherapy: A Clarification* with the understanding that it is based on the current definition of the controlled act of psychotherapy, as per the *RHPA* and as requested by the Ministry.



R. Maria

DRAFT

The Controlled Act of Psychotherapy: A Clarification

June 2016



Introduction

The *Regulated Health Professions Act, 1991* (RHPA), the governing legislation for regulated health professionals in Ontario, identifies 14 “controlled acts,” which may only be performed by regulated health professionals authorized to do so. In the case of the controlled act of psychotherapy, the RHPA also authorizes members of the Ontario College of Social Workers and Social Service Workers, who are regulated under the *Social Work and Social Service Work Act, 1998*,

to perform the controlled act. Controlled acts are restricted because of the risk of harm associated with their performance by unqualified individuals.

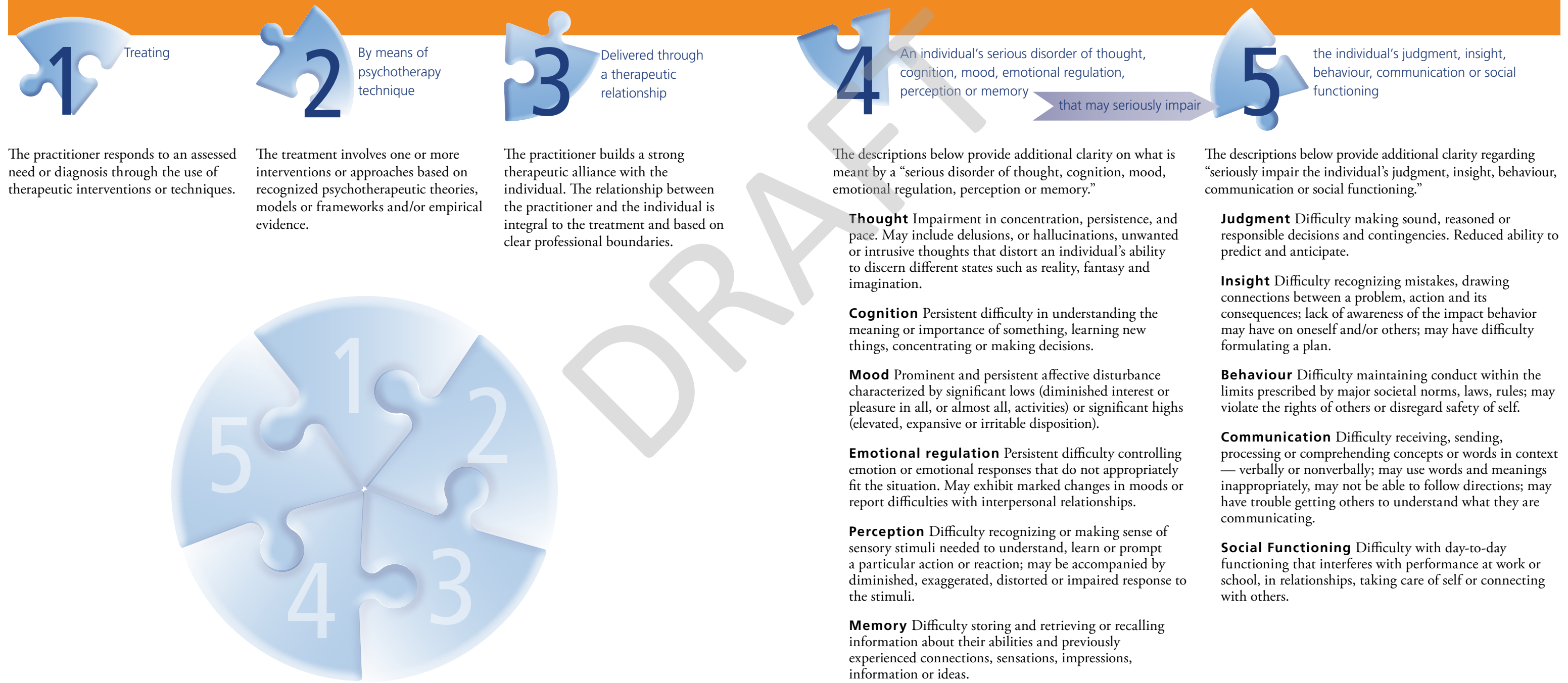
This document lends clarity to the meaning of the controlled act of psychotherapy. It was developed by the six colleges whose members are authorized to perform the controlled act¹.

It assists regulated and unregulated practitioners, employers, patients/clients and the general public to better understand when psychotherapy involves the controlled act, and when it should only be performed by a qualified, regulated professional authorized to do it.

The RHPA defines the controlled act of psychotherapy as follows:

“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 impair² the individual’s judgment, insight, behaviour, communication or social functioning.”

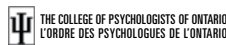
All five elements must be present for an activity or intervention to fall within the controlled act of psychotherapy.



¹ The College of Nurses of Ontario; the College of Occupational Therapists of Ontario; the College of Physicians and Surgeons of Ontario; the College of Psychologists of Ontario; the College of Registered Psychotherapists of Ontario; and the Ontario College of Social Workers and Social Service Workers.

² Individuals may show less serious impairment when they are taking medications and/or receiving other treatment services that reduce the symptoms of the disorder. The practitioner must take into account the extent of the impairment that could result if the individual discontinued the medications or other treatment services.

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**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Modifying Oral Examination Procedure: Examination outcome resulting in a limitation on the Certificate of Registration Authorizing Autonomous Practice

Council Action Required: Council endorsement of the recommendation of the Registration Committee to modify the oral examination procedure with regard to the imposition of limitations

Summary

In reviewing the current oral examination procedure, the Registration Committee found that imposing an additional publicly listed limitation on a member's certificate of registration, beyond the general limitation that all members of the College share, did not serve a public protection purpose and may be seen as unfair to members. Currently, if a candidate does not demonstrate competence in a declared area of practice or with a declared population, a limitation is imposed on his/her certificate. The matter in question is whether the College should list, for all members only what they are authorized to do, without stating for some, what they are not permitted to do.

Background:

The *Health Professions Procedural Code (Code)* of the *Regulated Health Professions Act (RHPA)* allows the Registrar of a regulated health profession to issue a certificate of registration to a member with a term, condition or **limitation** [18.(2) 4.].

- To date, the practice of the College of Psychologists of Ontario is not to impose "Terms" on its certificates of registration.
- A *Condition* is a temporary and time-limited stipulation which can result either from: 1) a candidate's performance at an oral exam; or, 2) the outcome of a disciplinary decision. A member with a condition imposed on his/her certificate must successfully complete an approved plan of knowledge and/or skill augmentation in order to satisfy the concern that occasioned the *Condition*. The condition is posted on the College's public register at the time that it is imposed. Once the member completes the condition it is removed from the member's certificate of registration and from the public register.
- A *Limitation* prohibits a member from practising with a certain client population, or in a particular area of practice. A limitation can result from: 1) a candidate's performance at an oral exam; or, 2) the outcome of a disciplinary decision. A limitation remains on a member's certificate of registration until he/she applies to have it removed or modified. The member must successfully complete an approved plan of knowledge and skills augmentation and attend an interview. The removal or modification of the *limitation* is contingent upon the recommendation of the interview team. The limitation is posted on the College's public register until such time as it is removed.

All members of the College share the same general *Limitation* on their certificate of registration. This is published on the public register. Below is the (psychologist) example:

Registration Regulation 74/15, Section 7.

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

In 2014, the Registrar and Registration Committee agreed to the use of more *positive* language when imposing *limitations* occasioned by oral examination performance. For example, in the case where a member did not demonstrate competence with children and adolescents but only with adults, the limitation would read "*autonomous practice in psychology is limited to clinical psychology with adults*". Previously, it was wording more in the negative and would have read "*autonomous practice in clinical psychology shall not include practice with children and adolescents*" without mentioning what is authorized.

Oral Examination Outcome, an Example:

A supervised practice member declares: 1) clinical psychology with adults; and, 2) rehabilitation psychology with adults. Following his continued oral examination, the examiners find that he demonstrated the necessary knowledge and skills for clinical psychology with adults, but was much below the level expected for rehabilitation psychology with adults. The oral examiners recommend that he be issued with an autonomous practice certificate and be authorized for clinical psychology with adults but that a limitation also be imposed on his certificate preventing him from practising rehabilitation psychology. This limitation remains in place until such time as he applies to have the limitation removed, involving the completion of additional training in rehabilitation psychology, and passing an interview.

The member consents to the limitation, and the Registration Committee directs the Registrar to issue him a certificate with the limitation imposed. The limitation on public register reads: "*Autonomous practice in psychology is limited to clinical psychology with adults.*"

Since all members already have the general limitation limiting their practice to only the authorized practice areas and client populations listed on the public register, adding an additional statement about a limitation seems redundant at best, and punitive at worst. This member did not do anything wrong (as in a discipline case), rather he successfully completed a period of supervised practice, retraining (possibly), but could not demonstrate the necessary knowledge and skills in rehabilitation psychology at the time of his oral exam.

The Registration Committee sees two issues with the current process:

1. Accuracy/Inconsistency of Limitation:

The stated limitation is with regard to *clinical psychology* but in reality, due to the general limitation, the member is also, in fact, limited from practicing *school psychology* or *clinical neuropsychology*, etc. but this is not separately noted.

2. Removal of Limitation:

The only way for this member to remove the limitation from his certificate, and therefore from the public register, is to undertake the necessary retraining and then apply to have rehabilitation psychology added to his authorized practice areas. Many members do undertake and successfully complete this process. In this case they are demonstrating competence not shown at the time of the oral examination. The process undertaken for removal of the limitation is, in effect, similar to that when a member wishes to add an area of practice.

The problem arises if the individual decides that he no longer intends to practice rehabilitation psychology. In this case, the member will have a publicly posted limitation on his certificate for his entire career.

Another issue is encountered if the member decides to expand his practice to include school psychology. If he is successful in the expansion to his areas of practice, then his current limitation on the public register stays, but gets modified to read "practice is limited to clinical psychology and school psychology." The original limitation follows this member until he satisfies the rehabilitation psychology *problem*; something he may never wish to do.

Registration Committee's Recommendation

The Committee determined that instead of issuing an additional publicly listed limitation on the member's certificate of practice, additional to the general one imposed on all members' certificates, oral examiners could simply recommend the authorization of the practice area(s)/client group(s) in which the member *successfully* demonstrates competence at his/her oral examination.

Using the example provided earlier, the oral examiners would recommend the member be authorized for the autonomous practice of *clinical psychology* with adults. They would indicate their inability to recommend practice in *rehabilitation psychology*, as requested. In this case, the only *limitation* on this member's certificate would be the general limitation that all members have, which is that the member must practice only those areas that are authorized by the Registrar; in this member's case, *clinical psychology* with adults.

Following his oral examination this member would be provided with the ratings and recommendations of his oral examiners, and asked to consent to the examiners' recommendation that he is only authorized to practice *clinical psychology* and not *rehabilitation psychology*, as requested. Since this outcome would not be considered a "complete pass", the file would then be forwarded to the Registration Committee for review. Should the member consent to the recommendation of the oral examiners, the Committee would direct the Registrar to issue the member with a certificate authorizing autonomous practice in clinical psychology. Should this member wish to practice rehabilitation psychology in the future, he could make an application to the Registration Committee for a *Change of Area of Practice*, and follow the established procedure similar to any other member wishing to add an area of practice to those for which they were not authorized at the time of the oral exam.

The inability to authorize *rehabilitation psychology* would be well documented through the above process should this information be needed in future by a panel considering a request to add *rehabilitation psychology* and, as well, should the member undertake to practice in this unauthorized area.

The Committee also took the following into consideration during their review of the issue:

- In cases such as those described in the above example, the Committee considered whether the public was at risk if the member became authorized to practice in clinical psychology and did not have an additional publicly listed limitation, saying the same thing. The Committee considered whether there was a public protection value in the additional reminder, for the public and the member, that this member must practice only in the area in which they are authorized (as noted in the general limitation), but also only practice in clinical psychology. The Committee found that these were one and the same and that there was no substantial public protection value in posting an additional limitation on the public register.
- The Committee also considered whether ceasing to publicly post limitations following an oral exam may change how supervised practice members choose practice areas/client groups on their Declaration of Competence. In other words, is the threat of a limitation following an oral exam the only deterrent to keep applicants from '*over declaring*' and '*taking their chances*' at an oral exam? The Committee found that the control for this would be with the Registration staff (who review new applications) and the Registration Committee which needs to be convinced that a members' Declaration matches their academic training and their proposed supervised practice experience.

The Registration Committee is requesting Council endorsement of this change to the process with regard to the imposition of limitations following the oral examinations.



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Examination Accommodation Policy

Council Action Required: To endorse the *Examination Accommodation Policy* in order to permit the process for implementation to be developed. A formal policy, in College policy format, will be brought to Council in December 2016 for final approval.

The College of Psychologists of Ontario has ethical and legal obligations to provide accommodations to applicants with disabilities completing the registration process, including accommodations when attempting the examinations for registration. The College currently has processes, but no policy, in place to provide accommodation for examination candidates with disabilities and has done so for many years.

In 2014 an audit of the Jurisprudence and Ethics Examination (JEE) included a recommendation that the College: *“Revisit the criteria for granting special accommodations to ensure that the accommodation is appropriate and does not provide an unfair advantage (9.2.5)”*. From this recommendation, discussion began at the Jurisprudence and Ethics Examination Committee about general examination accommodations and it was recognized that the College did not have a formal policy. It was agreed that such a policy should be developed to ensure clarity and consistency in the College’s processes.

The attached detailed policy paper was developed and approved by the Registration Committee. The paper details the rationale for the Accommodation Policy as well as providing detailed procedures as well as the necessary forms. In order to permit the Registration staff to begin to develop the implementation process, Council is being asked to endorse the Registration Committee’s recommended policy. The formal policy, to be brought to Council in December will highlight the procedures making reference to the procedures and forms to be found in the information available to applicants for Registration.

Proposed Exam Accommodations Policy

Prepared by: Paulette Blais, Policy Analyst

Issue:

The College of Psychologists of Ontario has ethical and legal obligations to provide accommodations to applicants with disabilities completing the registration process, including attempting the examinations for registration administered by the College. The College has processes in place to provide accommodation for exam candidates with disabilities and has done so for many years.

In 2014 an audit of the Jurisprudence and Ethics Examination (JEE) included a recommendation that the College: *“Revisit the criteria for granting special accommodations to ensure that the accommodation is appropriate and does not provide an unfair advantage (9.2.5)”*. From this recommendation discussion began at the JEE Committee about general exam accommodations and whether or not the College had a formal policy. Since the College did not, it was agreed by the Director of Registration and the Registrar that the College should develop a policy to follow up on the recommendation and clarify and ensure consistency in the College’s processes.

Recommendation:

Approve the proposed Examination Accommodations Policy outlined in this paper, to become effective on a date in 2016 determined by the Registration Committee, in consultation with Registration staff.

Rationale:

Adoption of an Examination Accommodation policy will provide clarity to applicants and guide Registration staff and Committee’s fair and consistent decision-making and practices in relation to accommodation for the three entry-to-practice examinations and focused interviews.

Implementation:

1. If approved, it is recommended that this policy be adopted, including use of the required:
 - revised Examination Accommodations section (D) of all application documents to the College;
 - Form 1 Examination Accommodation - Medical Documentation; and
 - Form 2 Examination Accommodation - Academic Accommodation.
2. The policy will become effective and applied to all applications for registration received by the College on a date in 2016 determined by the Registration Committee, in consultation with Registration staff.

3. Registration staff will report back to the Registration Committee on the experience/effectiveness and/or challenges of implementing this policy with exam candidates within the initial 12 months after implementation.

PROPOSED EXAMINATION ACCOMMODATIONS POLICY

Requirement: Examination

Established: July 2016 **Revised:** N/A

Applicable to all applicants attempting any of the examinations required for registration with the College, as outlined in ss. 5. (1) 3. – 5. and 16. (1) 4. – 6. of O.Reg. 74/15 Registration under the *Psychology Act, 1991*. These three examinations are:

1. the Examination for Professional Practice in Psychology (EPPP);
2. the Jurisprudence and Ethics Examination (JEE); and
3. the Oral Examination.

Also applicable to members attending a focused interview for the purpose of modifying or removing a term, condition or limitation on their certificate for practice or requesting an expansion or addition to their areas of practice.

Legislative Framework:

- This policy was developed in compliance with the following statutes, which over-ride the *Regulated Health Professions Act (RHPA), 1991* and the *Psychology Act 1991*:
 - *The Ontario Human Rights Code (OHRC)*: The Code prohibits actions that discriminate against people based on a protected ground (disability) in a protected social area (membership in unions, trade or professional associations)¹.
 - *O.Reg. 429/07: Accessibility Standards for Customer Service under the Accessibility for Ontarians with Disabilities Act, 2005, S. O. 2005, c. 11*².
- The privacy provisions of this policy were developed in compliance with Section 36 (1) of the *RHPA* and the College's own Privacy Code³.

¹ This has been legally interpreted by the OHRC to include membership in a regulated profession.

² The College's Accessible Customer Service Plan, developed in compliance with this regulation, can be downloaded from: <http://www.cpo.on.ca/Accessibility.aspx>.

³ In compliance with these obligations the College has also developed a Privacy Code (<http://www.cpo.on.ca/components/handlers/search.router.ashx?id=653>) and the provisions of this Code apply to all information requested, used, retained and/or disclosed as part of the registration process, including personal health information related to requests for accommodation.

Principle(s):

The College of Psychologists of Ontario is committed to providing accessible and equitable service to all exam candidates. This includes administering the entry-to-practice examinations for psychology in Ontario in a way that respects the dignity and independence of persons with disabilities.

In reviewing accommodation requests, the College must balance the rights of the individual examination candidate with its mandate to protect the security, fairness, validity and reliability of the examinations.

Accommodations for the Examination for Professional Practice in Psychology (EPPP) can only be made available consistent with what is allowable by the exam owner, the Association of State and Provincial Psychology Boards (ASPPB) and provided through the testing agency (Pearson VUE) that administers the exam.

In supporting individuals requesting accommodation for the examinations the College will base its decisions on the following fundamental principles:

1. No applicant to the College should be disadvantaged in the examination process due to disability.
2. The individual's private information, including personal health information, will be used only for the purpose of assessing the accommodation request and will be protected at all times.
3. The College will provide reasonable accommodation fairly and in a manner that respects the dignity and independence of the applicant.
4. Accommodations will be provided in a way that ensures that applicants receiving accommodation are not provided an unfair advantage in relation to other candidates completing the examinations.
5. The College's duty to provide accommodation will only be limited by considerations of undue hardship⁴ and the need to protect the integrity and confidentiality of the examinations.

Procedure:

Applicants who require accommodation to complete the registration examinations are required to:

1. complete the Examination Accommodations section (D) of the Application for Supervised Practice;

and provide to the College:

2. Form 1 - Examination Accommodation – Medical Documentation, along with appropriate documentation, completed by a medical doctor, psychologist, psychological associate or other regulated health professional who has specific training, expertise and experience in the diagnosis of the condition(s) for which the accommodation is being requested complete and sent directly to the College; **or**

⁴ The Ontario Human Rights Commission provides guidelines regarding the definition and considerations to be taken into account regarding whether the provision of accommodation would cause an organization (e. g. employer, educational institution etc.) undue hardship: <http://www.ohrc.on.ca/en/policy-and-guidelines-disability-and-duty-accommodate/5-undue-hardship>.

3. Form 2 - Examination Accommodation – Academic Documentation, along with appropriate documentation, completed by an accessible services representative of the post-secondary institution where the applicant completed his or her psychology degree(s), indicating accommodations approved and used during their academic studies. The form and documentation should also be sent directly to the College.

A candidate seeking an accommodation is not required to disclose a health diagnosis. The request however, must clearly demonstrate the following:

- how the identified impairment impacts the ability of the candidate to successfully participate in the examination, **and**
- how the requested accommodation(s) mitigate(s) the impairment within the specific context of the examination.

In order to allow the College sufficient time to prepare accommodations, applicants are required to submit requests and all supporting documentation at least 60 calendar days prior to the exam date.

Exam candidates requesting accommodation will be advised of the College's decision within ten (10) business days of the submission date, unless more information is needed to effectively evaluate the accommodation request.

Additional Conditions:

1. Candidates may request accommodations as needed for either permanent or temporary disabilities.
2. Candidates are responsible for any costs associated with obtaining documentation from a regulated health professional or university regarding their disability or impairment and/or history of accommodations provided during their university education.
3. Requests must be directed to the Senior Registration Assistant. Requests should be made at the same time as applying for any of the examinations, but no later than 60 calendar days before the date of the exam administration.
4. An applicant who has been granted accommodation for either the EPPP or JEE will be afforded accommodation based on the same identified needs, if required, for both examinations.
5. Documentation of a disability requiring accommodation will be considered current for three years from the date of assessment of a permanent disability and six months from the date of assessment of a temporary disability.
6. A candidate who has been granted accommodation for a permanent or long-term disability will not be required to re-apply for accommodation for subsequent attempts. However, if the request was related to a temporary condition (e.g. recent injury or pregnancy-related conditions) or if five years have passed since the initial accommodation request, the College may request updated information confirming the continued need for accommodation.

Decision Rule:

Exam candidates who complete and submit appropriate documentation within the timelines indicated will be provided accommodations as per the College's duty, limited only by considerations of undue hardship and the need to protect the integrity and confidentiality of the examinations.

Required Documentation:

1. Completed Section D - Examination Accommodation, of College application form(s); and
2. Completed Form 1 or 2 with required documentation.

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Background:

Definitions:

For the purpose of the policy, the College defines disability consistent with the *Ontarians with Disabilities Act, 2001*, as follows:

Disability means,

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) a mental disorder, or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; (“handicap”)

The College does not differentiate between permanent and temporary disabilities when considering requests for accommodation.

“Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms⁵.

Examinations:

Applicants to the College are required to pass three examinations as part of the registration process. These are:

1. the Examination for Professional Practice in Psychology (EPPP);
2. the Jurisprudence and Ethics Examination (JEE); and
3. the Oral Exam.

The College has provided exam accommodations to applicants for many years. Accommodations vary according to the identified needs of the applicants, the format of the exam and the policies of the exam owner and administrator.

⁵ This definition is from the United Nations Convention on the Rights of Persons with Disabilities and consistent with the Ontario Human Rights Commission’s interpretation. Retrieved May 26, 2016 from: <http://www.un.org/disabilities/convention/conventionfull.shtml>.

The EPPP

The EPPP is a computer-based multiple-choice examination owned and developed by the Association of State and Provincial Psychology Boards (ASPPB). The exam consists of 225 questions and candidates are allowed four hours and 15 minutes to complete it. The EPPP is administered through an exam vendor, Pearson VUE, on an on-going basis throughout the year at Pearson VUE testing sites in Canada and the United States. The EPPP Candidate Handbook⁶ outlines provisions for Special Accommodations as follows:

Candidates with documented disabilities or impairments who wish to be tested under nonstandard conditions must mark a “Special Accommodations” box at the end of the EPPP Application form.

Candidates who check the “Special Accommodations” box will receive an email acknowledging receipt of the accommodation request, and advising that the candidate’s EPPP application is under review. Documentation supporting the need for the accommodation(s) requested must be submitted to the candidate’s state or provincial licensing board for review and approval. The candidate’s licensing board will review requests for accommodation and will submit approvals to ASPPB.

Until accommodations are approved by the licensing authority, candidates cannot schedule the EPPP.

ASPPB provides a list of available accommodations that can be requested⁷, but candidates may also request other accommodations not included on the list; whether these can be provided is determined on a case-by-case basis.

In 2016 the ASPPB made the following changes regarding EPPP accommodations that will affect how the College accommodates applicants:

- Paper and pencil versions of the EPPP are no longer available.
- All candidates may have access to:
 - an adjustable armless chair;
 - adjustable font size;
 - ergonomic chair;
 - ergonomic keyboard; and
 - white board and marker for making notes.

Therefore applicants who would have previously made a special request for these accommodations no longer need to do so. This information is available publicly on the Pearson VUE website⁸ but is also communicated to applicants by College staff.

⁶ http://www.asppb.net/resource/resmgr/EPPP_IFC.pdf.

⁷ This includes, but is not limited to: having access to a bag lunch/snack/beverage, a glucose meter, or medication; extended time to write the exam; sign language interpretation; frequent or extended breaks; private room; service animal etc.

The JEE

The JEE is a written (paper and pencil) multiple-choice examination developed, owned and administered by the College. The JEE consists of 60 questions and candidates are allowed two hours to complete it. It is held at several examination centres in Ontario two times per year – each Spring and each Fall.

The Oral Examination

Once applicants have passed the EPPP and JEE, they will be invited to attend the Oral Examination, which is also developed, owned and administered by the College. The purpose of this final exam is to ensure that the applicant is ready for autonomous practice in Ontario. The Oral Examination is a one-hour in-person interview conducted by a team of three members of the College, one of who will be a member the Registration Committee who will chair the interview. The College ensures that all Oral Examination locations are fully accessible.

Applicants are required to identify, when registering for any of the three examinations, whether they require accommodations and to provide supporting documentation to the College. The majority of requests are handled by Registration staff. If a request is significantly different or difficult for the College to provide however, the request may go to the Registration Committee for consideration.

Focused interview

Members of the College may be required to attend a focused interview if they are requesting changes to their certificate for registration. Such changes could include requesting a modification or removal of a term, condition, or limitation and/or the expansion or addition of areas of practice. These one-hour interviews are conducted by a team of three members of the College, in an in-person setting. While the focused interview is not a formal examination, it is an assessment activity for which the College will provide accommodation consistent with the College's Examination Accommodation Policy.

Common Accommodations Requested

Over the last four years (complete calendar years 2012 – 2015) 36 individual applicants requested accommodations for one or more of the entry-to-practice exams. Exam candidates may request more than one accommodation per exam.

Table 1

Number of Individual Candidates Who Have Requested Exam Accommodations 2012 - 2015	
Year	Number
2012	5
2013	14
2014	10
2015	7
Total	36

⁸ <https://home.pearsonvue.com/test-taker/Test-accommodations.aspx>.

During 2012 - 2015 36 candidates requested 76 individual accommodations as part of the administration of the EPPP. The most common accommodations requested were access to food and/or beverage (12 requests) and additional writing time (12 requests). Of all 76 requests for EPPP accommodation the College refused only one, as it was due to the candidate speaking and writing English as a second/additional language and not a disability.

During the same period of time exam candidates requested 41 accommodations for writing the JEE, with the most common requests being the same as for the EPPP. The College was able to provide all of these. These requests are detailed in Appendix 1. There have been no requests for accommodation for the Oral Exam within the past four years and no member has ever requested accommodation for the focused interview.

In 2015, one candidate who had been provided accommodations for both the JEE and the EPPP, had not passed either exam, and had exhausted the maximum number of attempts, appealed the College's refusal of registration to the Health Professions Appeal and Review Board (HPARB). In her appeal, the applicant claimed that she should be granted registration despite her failure on both exams, due to her disability. HPARB concluded that the College had fairly accommodated the applicant and that the Registration Committee had no discretion to register an applicant who has been unable to meet a non-exemptible registration requirement, and therefore upheld the Committee's decision.

Appendices:

Appendix 1: Exam Accommodations Requested

Appendix 2: Draft Revised Section D – Supervised Practice Application Form

Appendix 3: Draft Form 1

Appendix 4: Draft Form 2

Appendix 1: Exam Accommodations Requested

Table 2

Exam Accommodations requested by applicants to the CPO 2012 - 2015 Examination for Professional Practice in Psychology (EPPP)		
Type of accommodation requested	Number of requests	Modified accommodations and those CPO was unable to provide or refused
A turning radius space at least 42 x 42 inches to enable electric wheelchair to turn into desk	1	N/A
Wheelchair accessible washroom large enough for turning radius (not a cubical) and space beside the toilet for side transfer	1	N/A
Access to food and/or beverage	12	N/A
Access to medication and/or glucose meter	2	N/A
Attendant to accompany & assist before and after the exam and for washroom breaks. Space for attendant to wait for the candidate during the exam.	1	N/A
Approval to bring and use ice packs for pain relief in testing room	1	N/A
Breaks/frequent breaks	10	N/A
Bring cushion and/or ice pack for back pain	1	N/A
Desk/table with minimum 30 to 31 inches in height to accommodate wheelchair	1	N/A
Extra writing time - 30 minutes	6	One candidate's request not approved as it was requested due to English as a second language and not disability or impairment.
Extra writing time - double (8 hours)	10	N/A
Extra writing time - time and a half (6 hours)	12	N/A
Paper and pencil version	5	N/A
Separate examination room	10	N/A
Stand and walk as needed	1	N/A
Paper and pencil version of exam	2	Note: Effective January 2015 ASPPB no longer offers paper and pencil option, only modified computer testing.
Total number of individual accommodation requests.*	76	One accommodation request refused. Paper & pencil option no longer available.

*Please note that each candidate may have requested more than one form of accommodation. Also, some candidates may have requested accommodation for one but not all exams.

Table 3

Exam Accommodations requested by applicants to the CPO 2012 - 2015 Jurisprudence and Ethics Examination (JEE)		
Type of accommodation requested	Number of requests	Modified accommodations and those CPO was unable to provide or refused
A turning radius space of at least 42 x 42 inches to turn electric wheelchair into the desk	1	N/A
A wheelchair accessible washroom that is large enough for turning radius (not a cubical) and space beside the toilet for side transfer.	1	N/A
Access to food and/or beverage	6	N/A
Access to medication	1	N/A
Allowed to bring & eat snack and beverage (water bottle)	1	N/A
Breaks/frequent breaks	7	N/A
Desk/table with minimum 30 to 31 inches in height to accommodate wheelchair	1	N/A
Exam writing split into sessions on two days	1	Candidate has cancelled and has not written the JEE to date
Extra writing time - 30 minutes	8	N/A
Extra writing time – double (total 4 hours)	7	N/A
Reader	2	N/A
Separate room	5	N/A
Total number of individual accommodations requested	41	N/A – CPO able to provide all accommodations requested.

*Please note that each candidate may have requested more than one form of accommodation. Also, some candidates may have requested accommodation for one but not all exams.

Appendix 2: Draft Revised Section D – Supervised Practice Application Form**D EXAMINATION ACCOMMODATION**

In the section below, please indicate whether you have a **documented impairment or disability** which will require accommodation during the writing of the Examination for Professional Practice in Psychology (EPPP) or the Jurisprudence and Ethics Examination (JEE), or when taking the Oral Examination.

- NO, I do not have a documented impairment or disability which will require accommodation when taking examinations.
- YES, I do have a documented impairment or disability which will require accommodation when taking examinations.**

If you have indicated **YES** in the section above, you are required to submit appropriate documentation from a currently registered medical doctor, psychologist, psychological associate or other regulated health professional who has specific training, expertise and experience in the diagnosis of the condition(s) for which the accommodation is being requested. This must be provided directly to the College on Form 1.

Alternatively, if you received accommodation during completion of your university program(s), you may provide documentation from the university from which you completed the highest psychology degree (e.g. Master's or PhD program) which you are submitting to the College as part of your application for registration. This documentation must be completed by an appropriate representative of Student Support Services/Access Office of the university you attended, provided directly to the College on Form 2.

Please indicate which, if any, of the available accommodations you would like to request. If your disability or impairment requires an accommodation that is not specified in the list below, please indicate "Other" and contact the Senior Registration Assistant at the College at: mveluz@cpo.on.ca or 416-961-8817 ext. 222.

Standard Accommodations for the EPPP include:

Extra Time:

- Additional 30 minutes of writing time
- Additional 1 hour of writing time
- Additional 2 hour of writing time
- Additional 4 hour of writing time

Other EPPP Accommodations include:

- Separate room
- Reader and/or Person to enter answers (with separate room)
- Sign-Language Interpreter (with separate room)
- Service Animal (with separate room)
- Access to medication and/or glucose meter
- Access to food and/or beverage
- Other (accommodation not listed)

Standard Accommodations for the JEE include:

Extra Time:

- Additional 30 minutes of writing time

Other JEE Accommodations include:

- Large Print Examination
- Reader and/or Person to enter answers (with separate room)
- Sign-Language Interpreter (with separate room)
- Service Animal (with separate room)
- Access to medication and/or glucose meter
- Access to food and/or beverage
- Separate Room
- Other (accommodation not listed)

For taking the Oral Examination:

Please contact the Senior Registration Assistant at the College at: mveluz@cpo.on.ca or 416-961-8817 ext. 222 to discuss your specific requirements for taking this examination.

IMPORTANT NOTE:

IN ALL CASES, DOCUMENTATION, EITHER FROM YOUR REGULATED HEALTH CARE PROFESSIONAL OR THE UNIVERSITY FROM WHICH YOU GRADUATED, MUST BE SUBMITTED TO THE COLLEGE AT LEAST 60 CALENDAR DAYS IN ADVANCE OF AN EXAMINATION ADMINISTRATION IN ORDER TO ALLOW SUFFICIENT TIME FOR YOUR REQUEST TO BE REVIEWED AND FOR ACCOMMODATIONS TO BE ARRANGED.

Documentation must specifically support the accommodation(s) being requested, by identifying:

- a) how the identified disability or impairment impacts the ability of the candidate to successfully participate in the examination, and
- b) how the requested accommodation(s) mitigate(s) the disability or impairment within the specific context of the examination.

Acknowledgements and Consent:

- I acknowledge that I have read the College of Psychologists of Ontario's Accommodations Policy.
- I confirm that all the information on this form and any attached documentation is true and correct to the best of my knowledge and belief.
- I consent that the information contained herein and in any related documents (Form 1 or 2 and related documentation) provided to the College of Psychologists of Ontario for the purpose of supporting my request for accommodation may be reviewed by a third-party such as a psycho-educational consultant in order to determine appropriate accommodations.
- I acknowledge that the personal information provided on this form is used by the College to administer the Regulated Health Professions Act, 1991, the Psychology Act, 1991 and its Regulations related to the governance of the psychology profession in Ontario. Information is collected, used, and disclosed in accordance with the College's [Privacy Code](#).

Name

Date

Appendix 3: Draft Form 1

Form 1 - Examination Accommodation - Medical Documentation

[to be created as a fillable PDF form]

Form to be completed in its entirety by a licensed/registered regulated health professional, attached to a current medical report and returned directly to the College:

The College requires this document as well as a current medical report relevant to the request for accommodation submitted by a licensed/registered regulated health professional who is competent to provide an assessment of the disability or impairment for which accommodation is being requested. Documentation is considered current when the candidate has been assessed within the most recent six months for temporary disabilities, or within the last three years for permanent disabilities.

This form must be returned to the College, along with a complete medical report, to the College at least 60 calendar days before the examination or focused d interview date. Please note that the College does not need to receive a diagnosis and that only health information relevant to the candidate's need for and request for accommodation should be included.

Please return by mail, e-mail or fax to:

Myra Veluz, Senior Registration Assistant
The College of Psychologists of Ontario
110 Eglinton Avenue W, Suite 500
Toronto, Ontario M4R 1A3
Tel: (416) 961-8817, Ext. 222
1-800-489-8388, Ext. 222
E-mail: mveluz@cpo.on.ca
Fax: (416) 961-2635

Candidate's full name (printed):

Name of health professional (printed):

Applicants to the College of Psychologists of Ontario are required to pass three entry-to-practice examinations as part of the registration process.

1. The **Examination for Professional Practice in Psychology (EPPP)** is a computer-based multiple-choice examination, which consists of 225 questions. Candidates are allowed four hours and 15 minutes to complete it. The EPPP is administered through an exam vendor, Pearson VUE on an on-going basis throughout the year at Pearson VUE testing sites in Canada and the United States. All candidates may have access to, and therefore do not have to request:
 - an adjustable armless chair;
 - adjustable font size;
 - ergonomic chair; and
 - ergonomic keyboard.
2. The **Jurisprudence and Ethics Examination (JEE)** is a two-hour written (paper and pencil) multiple-choice examination that consists of 60 questions. It is held at several examination centers in Ontario.
3. The **Oral Examination**: Once applicants have passed the EPPP and JEE, they will be invited to attempt the Oral Examination. The Oral Examination is a one-hour in-person interview conducted by a team of three members of the College.

Focused interview: Members of the College may be required to attend a focused interview if they are requesting changes to their certificate for registration. Such changes could include requesting a change or removal of a term, limit or condition and/or the expansion or addition of areas of competence. These one-hour interviews are conducted by a team of three members of the College, usually in an in-person setting. While the focused interview is not a formal examination, it is an assessment activity for which the College will provide accommodation consistent with the College's Examination Accommodation Policy.

1. Please describe the credential(s) which qualify you to diagnose and/or verify the candidate's disability or impairment and to recommend the testing accommodations:
2. Last date of assessment/treatment/consultation with candidate:
3. What is the nature of the disability or impairment that requires testing accommodations? (Please note that the College does not need to receive a specific diagnosis.)
4. Is this a permanent condition? _____ Yes _____ No
5. If no, when is the disability or impairment likely to abate?
6. How does the disability or impairment affect the candidate's ability to perform under the standard testing conditions as described for the EPPP, JEE, Oral Examination and/or focused interview?
7. What accommodation(s) do you recommend the candidate request to mitigate the disability or impairment within the specific context of the examination(s) and/or focused interview?

I confirm that all the information on this form and the attached medical report is true and correct to the best of my knowledge and belief.

I am aware that the information contained herein may be reviewed by a third-party such as a psycho-educational consultant in order to determine appropriate accommodations.

I acknowledge that the personal information provided on this form is used by the College to administer the Regulated Health Professions Act, 1991, the Psychology Act, 1991 and its Regulations related to the governance of the psychology profession in Ontario. Information is collected, used, and disclosed in accordance with the College's [Privacy Code](#).

Name of health professional (print):

Signature of health professional:

Title:

Address:

E-mail address:

Telephone number:

License/Certificate Number:

Date:

Form 2 - Examination Accommodation – Academic Documentation

[to be created as a fillable PDF form]

Form to be completed in its entirety by an appropriate representative of the Student Support Services / Access Office of the university attended by the candidate.

Documentation relevant to the request for accommodation submitted by the candidate should be attached to / submitted with this form and sent directly to the College at least 60 calendar days before the examination date. Please note that the College does not need to receive a diagnosis and that only personal and/or health information relevant to the candidate's need for and request for accommodation should be included.

Please return by mail, e-mail or fax to:

Myra Veluz, Senior Registration
Assistant The College of Psychologists
of Ontario 110 Eglinton Avenue W, Suite
500 Toronto, Ontario M4R 1A3
Tel: (416) 961-8817, Ext. 222
1-800-489-8388, Ext. 222
E-mail: mveluz@cpo.on.ca
Fax: (416) 961-2635

Candidate's full name (printed):

Name of university representative (printed):

Applicants to the College of Psychologists of Ontario are required to pass three entry-to-practice examinations as part of the registration process.

1. The **Examination for Professional Practice in Psychology (EPPP)** is a computer-based multiple-choice examination, which consists of 225 questions. Candidates are allowed four hours and 15 minutes to complete it. The EPPP is administered through an exam vendor, Pearson VUE on an on-going basis throughout the year at Pearson VUE testing sites in Canada and the United States. All candidates may have access to, and therefore do not have to request:
 - an adjustable armless chair;
 - adjustable font size;
 - ergonomic chair; and
 - ergonomic keyboard.
2. The **Jurisprudence and Ethics Examination (JEE)** is a two-hour written (paper and pencil) multiple-choice examination that consists of 60 questions. It is held at several examination centers in Ontario.
3. The **Oral Examination**: Once applicants have passed the EPPP and JEE, they will be invited to attempt the Oral Examination. The Oral Examination is a one-hour in-person interview conducted by a team of three members of the College.

Focused interview: Members of the College may be required to attend a focused interview if they are requesting changes to their certificate for registration. Such changes could include requesting a change or removal of a term, limit or condition and/or the expansion or addition of areas of competence. These one-hour interviews are conducted by a team of three members of the College, usually in an in-person setting. While the focused interview is not a formal examination, it is an assessment activity for which the College will provide accommodation consistent with the College's Examination Accommodation Policy.

1. Please describe the credential(s) which qualify you to diagnose and/or verify the candidate's disability or impairment and to recommend the testing accommodations:
2. Last date of contact with the candidate:
3. What is the nature of the disability or impairment that requires testing accommodations? (Please note that the College does not need to receive a specific diagnosis.)
4. What accommodations did the university make available to the candidate during their psychology degree program(s)? Please indicate whether this was at the Baccalaureate, Master's and/or Doctoral level.
5. How does the disability or impairment affect the candidate's ability to perform under the standard testing conditions as described for the EPPP, JEE and/or the Oral Examination and/or focused interview?
6. What accommodation(s) do you recommend the candidate request to mitigate the disability or impairment within the specific context of the College of Psychologists of Ontario's examination(s) and/or focused interview?

I confirm that all the information on this form and any attached documentation is true and correct to the best of my knowledge and belief.

I am aware that the information contained herein may be reviewed by a third-party such as a psycho-educational consultant in order to determine appropriate accommodations.

I acknowledge that the personal information provided on this form is used by the College to administer the Regulated Health Professions Act, 1991, the Psychology Act, 1991 and its Regulations related to the governance of the psychology profession in Ontario. Information is collected, used, and disclosed in accordance with the College's [Privacy Code](#).

Name, representative of Student Support Services / Access Office (print):

Signature:

Title:

Address:

E-mail: Telephone number:

License/Certificate Number (if a regulated professional):

Date:

Additional documentation of __pages attached.

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: LANGUAGE FLUENCY POLICY

MOVER: TBD

RATIONALE: The Language Fluency Policy was brought to Council on March 27, 2015, as an information item, by the Registration Committee. Following the development and review of this policy it was adopted by the Registration Committee effective September 1, 2015. It is the view of the College Executive Committee that such policies should be incorporated into the College's formal *Policies and Procedures Manual* to be placed in the *Manual* along with the *Registration Committee Terms of Reference/Role* [II-2(i)] and the *Examination-Taking Irregularities – Cheating* [II-2(ii)].

MAIN MOTION: THAT THE LANGUAGE FLUENCY POLICY BE APPROVED

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Language Fluency Policy

College of Psychologists Policy and Procedure Manual			
SECTION: COUNCIL and COMMITTEES			POLICY #: II – 2(iii)
POLICY: Language Fluency Policy		COVERAGE: Registration Candidates	
CREATED: March 2015	REVISED:	NEXT REVIEW:	PAGE #: 1 of 3

POLICY STATEMENT:

Applicants/Candidates for Registration with the College must provide persuasive evidence of language fluency in English or French.

PROCEDURE:**Applicable to applicants for the following classes of certificate of registration:**

1. Psychologist authorizing autonomous practice
2. Psychologist authorizing interim autonomous practice
3. Psychologist authorizing supervised practice
4. Psychological Associate authorizing autonomous practice
5. Psychological Associate authorizing interim autonomous practice
6. Psychological Associate authorizing supervised practice

Type of requirement: Exemptible

Applicable Regulation:

ONTARIO REGULATION 74/15, REGISTRATION

3. The following are registration requirements for all certificates of registration:
 2. The applicant must be able with reasonable fluency to speak and write either English or French.

Principle(s):

Effective communication is essential for the provision of competent, safe and quality psychological services. Language fluency enhances public protection by ensuring that members can communicate effectively with clients and other members of the health-care team. For these reasons the Registration Committee believes that applicants must provide persuasive evidence of language fluency in English or French.

Decision Criteria:

An applicant may meet the requirement by:

1. Providing documentary evidence in the form of a transcript sent directly from the university to the College, indicating that he or she has completed his or her highest level psychology degree in: Canada; the United States of America; the United Kingdom; the Republic of Ireland; Australia; New Zealand or France; or
2. Providing verification in the form of a signed letter sent directly from the educational institution where his/her psychology degree was completed to the College that verifies that the language of instruction, supervision and clinical practice was entirely in English or French; this may be provided as a hard-copy original document, fax or PDF; or

College of Psychologists Policy and Procedure Manual			
SECTION: COUNCIL and COMMITTEES			POLICY #: II – 2(iii)
POLICY: Language Fluency Policy		COVERAGE: Registration Candidates	
CREATED: March 2015	REVISED:	NEXT REVIEW:	PAGE #: 2 of 3

3. Providing a report, directly from the language testing agency to the College, as a hard-copy original document, PDF or a fax, that she or he has achieved the minimum scores indicated on one of the standardized language fluency tests approved by the College. An applicant must meet minimum scores in each area of one test and test results will be considered valid for two years from the date the test was administered.

TESTS AND MINIMUM SCORES REQUIRED TO MEET THE LANGUAGE FLUENCY REQUIREMENT – COLLEGE OF PSYCHOLOGISTS OF ONTARIO					
Test	English			French	
	TOEFL internet based test (iBT)	IELTS (Academic)	CanTEST	TESTcan	Test d'évaluation du français (TEF)
Required score(s)	Writing: 27 Speaking: 24 Listening: 24 Reading: 24	Writing: 7 Speaking: 7 Listening: 7 Reading: 7	Writing: 4.5 Speaking: 4.5 Listening: 4.5 Reading: 4.5	Writing: 4.5 Speaking: 4.5 Listening: 4.5 Reading: 4.5	Writing: 349 Speaking: 349 Reading: 233 Listening: 280

OR

4. Providing to the Registration Committee other compelling evidence of language fluency. This could be, for example, evidence that the applicant was registered and practiced in an English or French practice environment for a minimum of the equivalent of two years full-time, which could be confirmed through proof of registration sent directly from the psychology regulatory body, letters(s) from employer(s) or supervisor(s) etc. All such documentation must be sent directly to the College as a hard-copy original document, PDF or a fax.
5. An applicant may be exempted from the requirement if he or she cannot meet it through the means described in 1., 2. or 4. above and has a documented disability¹ that would affect his or her ability to meet

¹ *The Access for Ontarians with Disabilities Act defines “disability” as:*

- a) *any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,*
- b) *a condition of mental impairment or a developmental disability,*
- c) *a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,*
- d) *a mental disorder, or*
- e) *an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997; (“handicap”).*

College of Psychologists Policy and Procedure Manual			
SECTION: COUNCIL and COMMITTEES			POLICY #: II – 2(iii)
POLICY: Language Fluency Policy		COVERAGE: Registration Candidates	
CREATED: March 2015	REVISED:	NEXT REVIEW:	PAGE #: 3 of 3

the requirement by completing a standardized language fluency test, as described in 3. Such exemption will be considered on a case-by-case basis by the Registration Committee.

Possible Outcomes:

1. An applicant who can provide acceptable evidence of fluency will be deemed to have met the language fluency requirement for registration.
2. An applicant who cannot provide sufficient evidence of fluency will be notified that he/she cannot be registered until he/she has met this requirement.
3. An applicant who can satisfy the Registration Committee that he/she should be exempted from the requirement based on the criteria indicated in 5. above may be exempted from meeting the requirement.

DRAFT

Registration Committee Annual Report 2015-2016

The major roles of the Registration Committee are:

Introduction

(1) to review all applications for registration of psychologists and psychological associates referred by the Registrar, at all steps in the registration or appeals process, and to make individual registration decisions;

(2) to review applications under Section 19. of the Regulated Health Professions Act (RHPA) for removal or modification of a term, condition or limitation;

(3) to review applications for change of area of practice or change of status for autonomous practice members; and

(4) to recommend registration policy and procedures consistent with the RHPA, with Regulation 74/15, Registration, with applicable interprovincial legislation such as the amended Agreement on Internal Trade (AIT) and the Ontario Labour Mobility Act, or international agreements such as the Association of State and Provincial Psychology Board's (ASPPB) Reciprocity Agreement.

Members (July 2015 to May 2016)	Lise Mercier, Ph.D., C.Psych. Lynette Eulette, Ph.D., C.Psych. Michael Grand, Ph.D., C.Psych. Marnee Maroes, Ph.D., C.Psych. Peter McKegney Karin Mertins, M.A., C.Psych.Assoc. Patricia Minnes, Ph.D., C.Psych. Phyllis Nemers, Ed.D., C.Psych. Astra Josie Rose	Chair, Registration Committee, Council Member Council Member Council Member, Academic Professional Member Council Member, Public Professional Member Council Member, Academic Professional Member Council Member, Public
College Staff Support	Lesia Mackanyn Myra Veluz Sulmaz Ghoraishi Michelle Flewelling	Director, Registration Senior Registration Assistant Administrative Assistant: Registration Administrative Assistant: Registration

Meetings The Registration Committee held a total of 17 meetings during this fiscal year (from July 2015 to May 2016). The Committee met in plenary session for the consideration of broader issues. Plenary sessions were held on 5 occasions. The Committee met in panel sessions for the review of individual cases. Panel A and Panel B each met 6 times.

**Results of
Plenary
Deliberations** The Committee completed work on revising the College's definitions of knowledge and skills required in the practice of counselling psychology. The Committee also reviewed the oral examination process/procedures and made recommendations for changes respecting issuance of limitations following oral examinations. The Committee began its work on developing a formal examination accommodations policy.

**Panel
Deliberations** All cases referred by the Registrar to the Registration Committee require thorough preliminary staff review with multiple interactions between the applicants and staff. Many cases require multiple reviews by a panel of the Registration Committee during the period of supervised practice or for approval for an oral examination. In some instances, where the decision is not favorable to the applicant, appeals can be made to the Health Professions Appeal and Review Board (HPARB). Decisions from HPARB have provided direction to each panel in rendering more detailed orders, communicated in a manner consistent with the provisions of RHPA.

Summary of Registration Activities For 2015-2016

Applications Received by the College: June 1, 2015 to May 31, 2016

Applications for a certificate authorizing supervised practice:

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	21	9	10	13	53
Psychologist	74	18	20	8	120
Total	95	27	30	21	173

Supervised Practice Applications: Comparisons by Year

Title	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Psych.Assoc.	38	41	78	72	60	67	65	53
Psychologist	114	75	87	125	101	143	131	120
Total	152	116	165	197	161	210	196	173

Applications for a certificate authorizing autonomous practice/interim autonomous practice (AIT) applicants who are already registered to practice psychology in another Canadian jurisdiction:

Canadian Jurisdiction										Total
Title	AB	BC	MB	NB	NF	NS	QC	SK	NWT	
Psychological Associate	0	0	0	0	0	0	0	0	0	0
Psychologist	18	2	0	0	1	3	14	2	0	40
Total	18	2	0	0	1	3	14	2	0	40

The table above reflects only AIT applicants who were not already registered in Ontario. An additional 23 Ontario registered psychological associates submitted applications to be registered as psychologist based upon their registration in another Canadian jurisdiction; which brings the actual total to 63.

Applications for a certificate authorizing interim autonomous practice from applicants registered in the USA:**USA**Psychological Associate: **0**Psychologist: **4****Total: 4****Certificates of Registration Issued by the College: June 1, 2015 to May 31, 2016****Certificates Authorizing Supervised Practice Issued: June 1, 2015 to May 31, 2016**

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	11	9	6	4	30
Psychologist	76	14	13	5	108
Total	87	23	19	9	138

Certificates Authorizing Interim Autonomous Practice Issued: June 1, 2015 to May 31, 2016

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	-	-	-	-	-
Psychologist	3	12	2	4	21
Total	3	12	2	4	21

Certificates Authorizing Autonomous Practice Issued: June 1, 2015 to May 31, 2016

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	10	6	5	7	28
Psychologist	93	28	25	11	157
Total	103	34	30	18	185

College Examinations: Comparisons by Year**Examination for Professional Practice in Psychology**

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Applications approved by the College and submitted to the Professional Examination Service (PES)	117	113	132	203	176	180	184
Scores received from PES or ASPPB	114	116	126	179	143	190	175

Jurisprudence & Ethics Examination

Examination Session	Number of candidates 2009 - 2010	Number of candidates 2010 - 2011	Number of candidates 2011 - 2012	Number of candidates 2012 – 2013	Number of candidates 2013 – 2014	Number of candidates 2014 – 2015	Number of candidates 2015-2016
Fall Examination	63	68	66	79	81	75	96
Spring Examination	69	83	113	90	103	96	93
Total for the year	132	151	179	169	184	171	189

Oral Examinations

Examination Session	Number of Candidates 2009	Number of Candidates 2010	Number of candidates 2011	Number of candidates 2012	Number of candidates 2013	Number of candidates 2014	Number of candidates 2015
June Examinations	59	39	39	47	77	59	53
December Examinations	72	50	55	85	69	97	89
Total for the year	131	89	94	132	146	156	142

Registration Interviews: June 1, 2015 to May 31, 2016

(these include mobility, term/condition/limitation, or change of area)

Title	2009 - 2010	2010 - 2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016
Psychological Associate	4	10	0	4	4	4	1
Psychologist	10	2	2	11	7	13	12
Total for the year	14	12	2	15	11	17	13

N.B. as of 2011-2012 CPO no longer conducting registration interviews for Canadian mobility applicants.

Applications Refused: June 1, 2015 to May 31, 2016

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	4	4	4	2	14
Psychologist	4	1	2	0	7
Total for the year	8	5	6	2	21

Discipline Committee

Introduction The Discipline Committee conducts hearings into allegations of misconduct and/or incompetence, referred by the Inquiries, Complaints and Reports Committee. The Committee is also responsible for holding hearings of applications for the reinstatement of a certificate of registration which has been revoked as a result of a disciplinary proceeding.

Members

Council:

Robert Gauthier, M.Sc., M.Ed., C.Psych. Assoc. (Chair)
 Ruth Berman, Ph.D., C.Psych.
 Dorothy Cotton, Ph.D., C.Psych.
 Lynette Eulette, Ph.D., C.Psych.
 Michael Grand, Ph.D., C.Psych.
 Gilles Hebert, Ph.D., C. Psych.
 Elizabeth Levin, Ph.D., C. Psych.
 Denise Milovan, Ph.D., C.Psych.
 Patricia Minnes, Ph.D., C. Psych.

Public Members:

Kristin Bisbee
 Judy Cohen
 D'Arcy Delamere
 Jaffar Mohammad Hayat
 Peter McKegey
 Donna McNicol
 Josie Rose
 Ethel Teitelbaum

College:

Clarissa Bush, Ph.D., C.Psych.
 Ann Carson-Tempier, Dipl.Psych.,
 C.Psych.
 Jan Heney, Ph.D., C. Psych.
 Tim Hill, M.A., C. Psych.
 Peter Hoaken, Ph.D., C.Psych.
 Maggie Mamen, Ph.D., C.Psych.
 Mary Ann Mountain Ph.D., C.Psych.
 Donna Reist, Ph.D., C. Psych.
 Glenn Webster, M.Ed., C. Psych. Assoc.

Staff Support

Barry Gang, Director, Investigations and Hearings (until February 29, 2016)
 Zimra Yetnikoff, Director, Investigations and Hearings (from March 1, 2016)
 Indira Darshanand, Administrative Assistant, Investigations and Hearings

Decisions

The Committee issued three decisions, which are available on the public portion of the College Register and can be accessed by following these links:

David Baxter, Ph.D, C. Psych.:
https://members.cpo.on.ca/public_register/show/19880
 Erick Roat, Ph.D., C.Psych.:
https://members.cpo.on.ca/public_register/show/21355
 Adrian Sibian, Ph.D., C.Psych.
https://members.cpo.on.ca/public_register/show/2681

Inquiries, Complaints and Reports Committee

Introduction The Inquiries, Complaints and Reports Committee (ICRC) is responsible for the investigation of complaints, as well as the approval and disposition of Registrar's Investigations, with respect to the conduct and competence of members. It is also responsible for inquiries into whether or not a member is incapacitated. As required by statute, every matter is considered by a panel of the Committee comprised of two professional members of the Committee and one member of the Committee appointed to the College by the Lieutenant Governor in Council. After the panel considers all of the relevant information in a matter, it renders a decision to the parties. Except when referring a matter to the Fitness to Practice or Discipline Committees, the Committee provides the parties with written reasons for its decision.

If either party to a complaint is dissatisfied with the adequacy of the Committee's investigation or believes the decision reached is unreasonable, he or she can request a review by the Health Professions Appeal and Review Board (HPARB). The HPARB is an adjudicative tribunal under the *Regulated Health Professions Act, 1991* (RHPA). Through reviews, the HPARB monitors the activities of the ICRC to ensure it fulfills its duties in the public interest and as mandated by legislation.

Members

Professional - Council
 Ruth Berman, Ph.D., C.Psych.
 Dorothy Cotton, Ph.D., C.Psych.
 Gilles Hébert, Ph.D., C.Psych.
 Elizabeth Levin, Ph.D., C.Psych.

Professional
 Piyali Bagchee, M.A., C.Psych.Assoc.
 Gilles Boulais, Ph.D., C.Psych.
 Sara Hagstrom, Ph.D., C.Psych. - Chair
 Frederick Schmidt, Ph.D., C.Psych.
 David Smith, Ph.D., C.Psych.
 John Telner, Ph.D., C.Psych.

Public Members
 Kristin Bisbee
 Judy Cohen
 Ethel Teitelbaum
 Donna McNicol
 D'Arcy Delamere

College Staff Support

Barry Gang, Dip.C.S., C.Psych.Assoc., Director, Investigations and Hearings (until February 29, 2016)
 Zimra Yetnikoff, Case Manager: Investigations and Resolutions (until February 29, 2016) and Director: Investigations and Hearings (from March 1, 2016)
 Annie Song, Case Manager: Investigations and Resolutions
 Mona McTague, Case Manager: Investigations and Resolutions
 Lee-Ann Siu, Case Manager: Investigations and Resolutions
 Hélène Théberge, Administrative Assistant: Investigations and Hearings
 Indira Darshanand, Administrative Assistant: Investigations and Hearings

Activities Investigations and Resolutions

During the 2015-16 fiscal year the College received 149 informal reports of concern about members' practices which were resolved without the need for investigation. The College initiated the investigation of 66 formal complaints and 1 Registrar's Investigation, as well as 3 Health Inquiries.

These investigations relate to the following services:

Investigations initiated, listed by nature of service June 1, 2015-May 31, 2016

Capacity Assessment	1
Consultation	1
Corrections Assessment	1
Custody & Access / Child Welfare Assessment	13
Educational Assessment	7
Industrial / Occupational Assessment	2
Not applicable / Incapacity	3
Not Related to Psychological Services	4
Psychotherapy / Counseling	18
Rehabilitation / Insurance Assessment	10
Sexual Abuse Assessment	1
Supervision	4
Teaching / Training	3
Unknown	2
Total:	70

Dispositions Reached During The Year During the 2015-2016 fiscal year, the ICRC disposed of 87 cases. Although each case reflected investigation of more than one issue, the following dispositions represented the most significant disposition made within each case:

Take No Action, if Complaint Frivolous, Vexatious, Made in Bad Faith, Moot or otherwise an Abuse of Process	17
Take no Further Action	30
Advice	15
Written Caution	14
Written Caution and Undertaking	2
Written Caution and SCERP	5
Oral Caution	2
Oral Caution and Undertakings	1
Oral Caution and SCERP	1
Total:	87

Review by the Health Professions Appeal and Review Board (HPARB) of 19 Decisions was requested by complainants and/or members. HPARB issued 19 Decisions, including those for reviews requested in previous years, 11 confirming the College's Decisions, 4 granting requests to withdraw an application for review, 1 HPARB F&V, 2 returned as Inadequate Investigations and 1 notifying the parties of a decision not to proceed with a review.

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Quality Assurance Committee

Introduction The *Regulated Health Professions Act, 1991 (RHPA)* requires that the College of Psychologists establish a Quality Assurance Program. A Quality Assurance Program is defined as “a program to assure the quality of the practice of the profession and to promote the continuing competence among the members”. The Quality Assurance Committee has the statutory responsibility for the development and implementation of the College’s Quality Assurance Program.

Members The Quality Assurance Committee of the College of Psychologists consists of three members of the Council (one public and two professional), and two professional non-Council members, as well as staff support. Members of the Committee for the year 2015-2016 were:

Donna Ferguson Psy.D., C.Psych. (Chair)	College Member
Elizabeth Levin, Ph.D., C.Psych.	Council Member
Patricia Minnes, Ph. D. C. Psych.	Council Member
Leah Stein-Sagi, M.A., C.Psych.Assoc.	College Member
Judy Cohen	Public Member

College Staff Support	Rick Morris, Ph.D., C.Psych.	Deputy Registrar/Director, Professional Affairs (Until March 1, 2015)
	Barry Gang, MBA, Dip.C.S., C. Psych.	Deputy Registrar/Director, Professional Affairs (After March 1, 2015)
	Julie Hahn	Practice Advisor/QA Coordinator

Activities *Self-Assessment Guide and Professional Development Plans*

The Committee reviewed the returns of the 2015 *Declarations of Completion* for the *Self-Assessment Guide and Professional Development Plans (SAG)* due from the members with odd-registration numbers. Of the 1992 Declarations due, all but 13 were received by the College. These members were required to provide their completed self-assessment guides and professional development plans. All except three complied with this requirement.

Of those SAGs that were reviewed by the Committee, all were deemed to have been satisfactorily completed. All of those members were advised by the Committee to complete QA and other college requirements in a timely manner in the future. In five cases, members were reminded that the requirement to fulfil the requirements of the QA program apply to all members except those with a Certificate of Registration with Retired status. In two cases, it was recommended to members that they improve the quality of records concerning their professional development activities. Other recommendations to members included the need to be more familiar with relevant legislation and to notify the College when unable to complete the SAG due to extenuating circumstances.

The 3 individuals who did not complete the SAG were required by the Committee to undergo Peer Assisted Reviews.

Peer Assisted Reviews

Due to staffing transitions, as well as timing, none of Peer Assisted Reviews were completed before the end of the 2015-2016 year. At the time of this report, 5 of those reviews have been completed, 22 are in progress with assessor reports expected shortly and the remainder are currently being arranged. It is expected that most of these will be completed within the first two quarters of 2016-2017, and that all of those remaining, as well as those selected for 2016-2017 reviews will be completed before June 2017.

Continuing Professional Development (CPD)

The Committee continued its work of developing the “roll out” for the Mandatory Continuing Professional Development (“CPD”) program requirements. At the time of this report, College members were provided with access to a test version of the program and the College is collecting feedback on members’ experience using it. The Committee plans to review and revise the current SAG and Professional Development guide for use with the CPD program. It is expected that full implementation of the CPD program will occur in June 2017.

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Client Relations Committee

Introduction Section 84 of the *Procedural Code of the Regulated Health Professions Act, 1991 (RHPA)* requires the College of Psychologists to have a Client Relations Committee whose mandate is to enhance relations between members and their clients. The Code outlines some specific responsibilities for the Committee with respect to sexual abuse prevention while allowing the Committee to address a broader spectrum of client-member relations.

Members The Client Relations Committee consists of four members of Council (two public and two professional) and two professional, non-Council members, as well as staff support. Members of the Committee for the fiscal year 2015-2016 were as follows:

Kristin Bisbee	Public Member	
Robert Gauthier, M.Sc., M.Ed., C. Psych. Assoc.		Council Member
Denise Milovan, Ph.D., C.Psych.		Council Member
Jaffar Hayat		Public Member
Francine Roussy Layton, Ph.D., C.Psych. (Chair)		College Member
Barbara Virley, Ph.D., C. Psych.		College Member

College Staff Support	Rick Morris, Ph.D., C.Psych.	Deputy Registrar/Director, Professional Affairs (Until March 1, 2015)
	Barry Gang, MBA, Dip.C.S., C. Psych.	Deputy Registrar/Director, Professional Affairs (After March 1, 2015)
	Julie Hahn	Practice Advisor/QA Coordinator

Activities Funding for Therapy and Counselling:
The Client Relations Committee administers the Funding for Therapy and Counselling Program under the *Regulated Health Professions Act, 1994*. During this year, there were three individuals receiving funding for therapy under the program. No new applications for funding were received.

Review of the Standards of Professional Conduct

The main work of the Committee throughout the 2015-2016 year was continuation of a review of the *Standards of Professional Conduct* ("Standards"), the last major revision having taken place in 2005.

The College had appointed a separate Supervision Task Force to review the broad area of supervision by members of the College. The Supervision Task Force made recommendations which the Committee reviewed. The principles of the Supervision Task Force recommendations were incorporated with the comprehensive proposed Standards.

Proposed revisions to the Standards were reviewed by the Executive Committee and will be reviewed by the Council before the proposed revised Standards are circulated for consultation to the membership and other stakeholders.

Fitness to Practice Committee

Introduction The role of the Fitness to Practice Committee is to conduct hearings in matters referred by the Inquiries, Complaints and Reports Committee concerning the alleged incapacity of a member. The Committee is also responsible for hearing applications for reinstatement by members whose certificate of registration was revoked following incapacity proceedings.

Members The Fitness to Practice Committee of the College of Psychologists consisted of three members of the Council (one public and two professional) and two professional, non-Council members. Members of the Committee for the year 2015-2016 were as follows:

Denise Milovan, Ph.D., C.Psych. Chair
Michael Grand, Ph.D., C.Psych.
Jaffar M Hayat, Public Member
Sandra Jackson, Ph.D., C.Psych.
Glenn Webster, M.Ed., C.Psych.Assoc.

College Staff Support Barry Gang, MBA, Dip.C.S., C.Psych.Assoc. Director, Investigations and Hearings (until February 29, 2016)
Zimra Yetnikoff, Case Manager: Investigations and Resolutions (until February 29, 2016) and Director: Investigations and Hearings (from March 1, 2016)
Indira Darshanand, Administrative Assistant: Investigations and Hearings

Activities The Committee did not receive any referrals or conduct any hearings this year.

Testing for Competence

Final Report on the Jurisprudence and Ethics Examination

2015–2016

College of Psychologists of Ontario

Prepared by

Marla Nayer PhD

Educational and Test Consultant

May 9, 2016

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P. 905-820-6861 F. 905-820-9761 Email: marlanayer@rogers.com

Introduction

The Jurisprudence and Ethics Examination (JEE) was administered two times during the past year. Both exam administrations offered a bilingual format, with both English and French being included in all exams.

Number of Candidates and Success Rates

The JEE was administered to 96 candidates in September 2015 and 93 candidates in March 2016. Passing scores for the exams are set using the Angoff standard-setting method. For both exams the Key Validation Committee reviewed the results using the original Angoff score, as well as the cut-score and results determined by the Angoff score plus adding one standard error of measurement (SEM). For both exams the cut-score was the number between the Angoff score and the plus 1 SEM score. This kept the cut-scores within the Hofstee parameters (cut-scores between 62 and 70% and the failure rate between 4 and 16%).

The passing score for September was 66% or 39/59 items correct and for March was 63% or 37/58 items correct (Note: one item was removed from the September exam and two items from the March exam during the key validation). Failure rate for the September exam was 15% and for the March exam was 14%. Details of the number of candidates and the pass/fail rates are presented in Appendix 1.

In September one candidate wrote with accommodations regarding extra time. In March three candidates wrote with accommodations regarding time and a separate room. Data from these candidates was not included in the statistical analysis.

All data entry was conducted by hand and checked by a second person, confirming the accuracy of the data entry.

Test Statistics

The mean, median and mode were between 74% and 83% for both exams.

All candidates who failed these exams scored under 65%. As usual, the majority of the candidates score well on the exam with the highest scores being 92% in September and 95% in March (Figures 1 and 2).

In the September exam there were five items identified in key validation. One item with a notable negative correlation was removed from the exam. The other four items were performing similarly to previous usages and were left in the exam. All five items were picked up in multiple review categories. In the March exam five items were identified in key validation.

One item was determined to be flawed and removed from the exam, as was one item with a negative correlation. Four of these items were picked up in multiple review categories. All items identified through key validation are reviewed by the Committee at the next meeting.

Note: One candidate with accommodations is not included in this graph

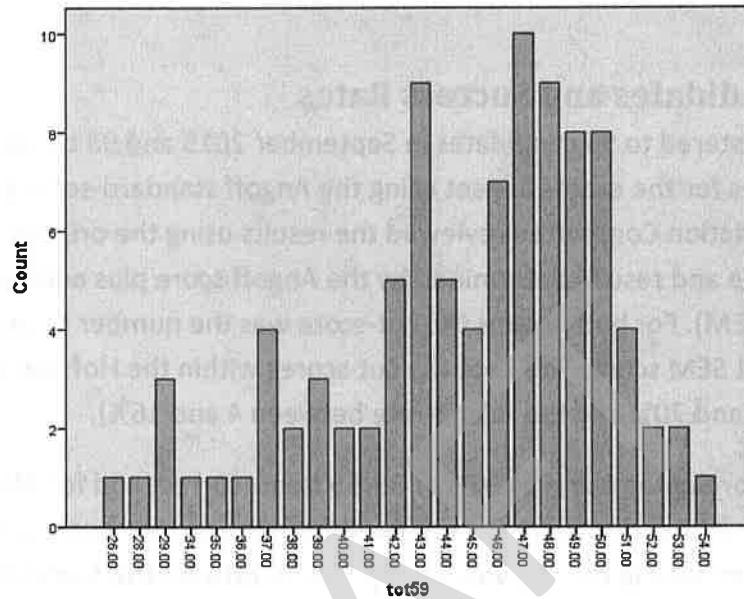


Figure 1 Frequency Distribution September 2015

Note: Three candidates with accommodations are not included in this graph

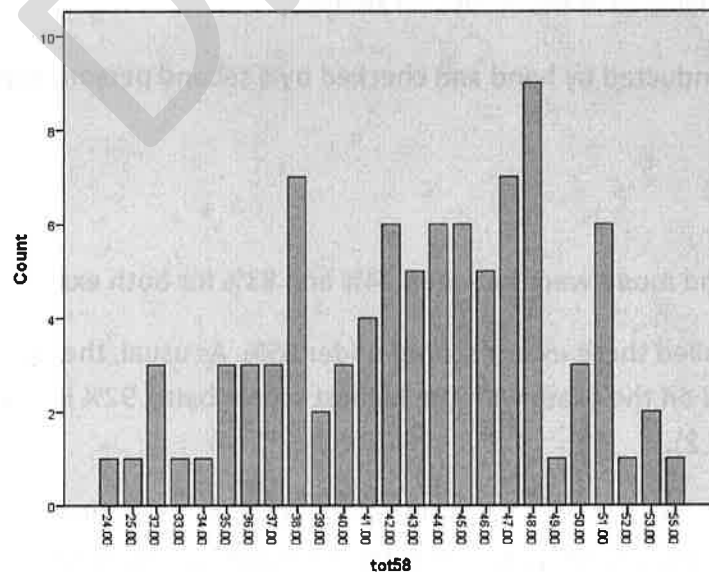


Figure 2 Frequency Distribution March 2016

Based on the Audit report of 2013 a new process was instituted to consider the stability of the difficulty level of the exam and the stability of candidate cohort ability. This considers the performance of the first time Ontario test takers from two consecutive exams (the current exam and the previous exam) on the repeating items. There were 12 repeating items between September 2015 and March 2015 and 17 repeating items between March 2016 and September 2015. These reviews did not raise any concerns.

Item Statistics

The exam items were in the usual range of difficulty, 67-69% being easy (p-values over 0.7), 16-17% being in the optimum range (p-values between 0.4 and 0.7) and 3-7% being hard (p values under 0.4).

Items were identified for review by the committee based on item statistics. Criteria for review were formalized by the Committee in 2009 and modified in 2010:

- A difference of over 0.2 between p value for the bottom quartile and Angoff score in two out of three administrations
- A difficulty value under 0.3
- A correlation under 0.1 in two of the last three administrations.

Additionally, any items with notable negative correlations are reviewed. All items identified by these criteria were reviewed at either the November or April Committee meeting. The items were either removed from the item bank or marked for revision or had the Angoff score reassessed.

Status of Test Item Bank

The tally of available items matched to the blueprint is presented in Appendix 2. The item bank currently holds 211 items, 7 of which are new; in all cases these “new” items were revisions of previous items. This is 12 less than last year.

Both exams in the past year met the blueprint in all categories.

An item-writing workshop was held in January 2015. This workshop developed 38 new items and revised all 13 items that were identified (at that time) as needing revision. The review of these items began at the April 2016 JEE meeting and 12 items were finalized for the item-bank. These will be reviewed by an editor and then submitted for translation. The balance of the items will be reviewed at the November 2016 JEE meeting.

Item bank work includes a review of all items on a three-year cycle. All items from 2011, 2012 and 2013 have been reviewed over the past year, so this review is currently up to date.

Standard Setting

The Angoff standard setting method continues to be used to set the projected cut-score on the exam. The Hofstee parameters were used in finalizing the cut-scores.

Based on the recommendations of the Auditor the process to create the cut-score was reconsidered. The impact of changing from utilizing the whole group to set the cut score to utilizing only the first time Ontario trained candidates to set the cut-score was investigated. This approach is consistent with other high stakes licensure examinations. As expected this change would increase the percentage of candidates who are trained outside of Ontario who fail the examination, with the biggest change being for those who are internationally trained. Again, this is consistent with results of other high stakes licensure examinations.

The Committee discussed this change at length and recommendations will be brought to the Executive Committee in June 2016.

Other Exam Issues

Candidate Feedback

Following both exams a survey was posted online and candidates were invited to complete the questionnaire. The feedback on the document *Preparing to take the Jurisprudence and Ethics Examination* continues to be far more positive than previous opinions on the supervision manual. As in the past, some candidates request more information on preparation, in particular some type of preparatory course.

Some candidates requested more direction regarding which parts of the legislation is relevant to this exam. The Committee is currently working with the Registrar on updating the list of legislation and providing more direction on what is relevant. It is anticipated that this will be completed before the Spring 2017 exam.

Consistently the candidates comment that the proctors and College staff are clear, friendly and approachable.

In each set of feedback at least one candidate comments on a specific question that they recall and feel is inaccurate or unclear. When the question can be identified (which is the case in about three-quarters of these cases) the items are reviewed by the Committee at the next

meeting. Comments on French translations are reviewed by the bilingual Committee member. Changes are made as required.

Audit Report

The Committee continued to work through the recommendations from the 2013 audit report. At this time 40 of the recommended actions have been completed and 26 remain in progress. Many of these are collating documentation for activities that do occur. Appendix 3 presents the 26 items that are still in process and Appendix 5 presents the items that were completed during the past year.

Summary and Conclusions

One-hundred and eighty-nine (189) candidates took the exam in the 2015-2016 year. The pass rate was consistent with previous administrations.

Test reliability was similar to previous years and the agreement coefficient at the cut-score was acceptable for both exams.

Review of 2015 Recommendations

1. Continue to work through the recommendations in the Audit report. Based on the plan and timelines set out at the May 2015 meeting virtually all of the recommendations should have been reviewed &/or implemented by spring 2016.
 - a. Due to unforeseen circumstances at the College this progress was slowed during 2015. It is progressing again and most recommendations will have been addressed by the spring of 2017. The only substantive recommendation remaining to be addressed is the revision to the process to set the cut-score; this is being presented to the Executive Committee in June 2016.

Recommendations 2016

1. Complete the work on audit recommendations.
2. Complete the review of the items generated in the item-writing workshop of 2015.

Executive Committee

Introduction The Executive Committee held four regular meetings plus two teleconferences during the year.

Members Peter McKegney, Public Member, President
Lynette Eulette, Ph.D., C.Psych., Vice-President
Robert Gauthier, M.Sc., M.Ed., C.Psych.Assoc.
Ruth Berman, Ph.D., C.Psych.
Gilles Hébert, Ph.D., C.Psych.
Judy Cohen Public Member

College Staff Support Catherine Yarrow, MBA, Ph.D., C.Psych., Registrar & Executive Director
Rick Morris, Ph.D., C.Psych., Registrar & Executive Director
Prema Shankaran, Assistant to the Registrar

With the retirement of Dr. Catherine Yarrow, Dr. Rick Morris was appointed as Acting Registrar on October 1, 2015 and was later appointment the Registrar & Executive Director.

Activities Following their election at the Council meeting of June 19, 2015, the Executive Committee appointed members of Council and of the College to the six statutory committees as well as the Jurisprudence and Ethics Examination Committee (JEEC), the Finance and Audit Committee (FAC), and the Nominations and Leadership Development Committee. During the year additional appointments were made if committee positions became vacant.

The Committee reviewed implementation of the strategic direction, monitored the progress of various initiatives and brought policy issues to the attention of Council for consideration. Subjects discussed included the transparency initiatives, the Shaping the Future Implementation Plan, the Supervision Task Force, and the review of the *Standards of Professional Conduct*. In addition the Committee reviewed and discussed the report of the audit of the role and functioning of the Executive Committee. In this regard, the Committee invited Mr. Richard Steinecke, author of the Executive Committee Audit Report to the March Council training day to present on his findings and recommendations.

The Executive Committee recommended to Council that the revised definition of Counselling Psychology be adopted by the College. They brought forward to Council proposed revisions to *By-Law 20: Elections to Council*. In addition, the Committee recommended to Council the approval of policies for posting discipline decisions on CanLii and providing Council materials to the public prior to meetings.

Following review by the Finance and Audit Committee, the Executive Committee reviewed the draft 2016-2017 budget and recommended that it be approved by Council.

On May 18, 2016 the Executive Committee met in Ottawa and hosted a reception for local members. The Executive Committee was very pleased with the response to the opportunity to meet with local members. Building on the success of this, and previous out-of-town meetings, the Committee also decided to hold a second out-of-town meeting and reception each, to be held in the spring and fall. The President and another Executive Committee member represented the College at meetings of the Association of State and Provincial Psychology Boards and of the Association of Canadian Psychology Regulatory Organizations.

Council

Introduction The Council is the Board of Directors of the College and is responsible for managing and administering the affairs of the College. This report covers the fiscal year June 1, 2015 to May 31, 2016.

Members	Robert Gauthier, M.Sc., M.Ed., C.Psych.Assoc.	(Psych. Associates)
	Gilles Hébert, Ph.D., C.Psych.	(East)
	Ruth Berman, Ph.D., C.Psych.	(GTA East)
	Dorothy Cotton, Ph.D., C.Psych.	(Central)
	Lynette Eulette, Ph.D., C.Psych.	(Southwest)
	Denise Milovan, Ph.D., C.Psych.	(GTA West)
	Elizabeth Levin, Ph.D., C.Psych.	(North)
	Patricia Minnes, Ph.D., C.Psych.	(Academic)
	Michael Grand, Ph.D., C.Psych.	(Academic)
	Peter McKegney (President)	(Public Member)
	Judy Cohen	(Public Member)
	D'Arcy Delamere	(Public Member)
	Kristin Bisbee	(Public Member)
	Ethel Teitelbaum	(Public Member)
	Jaffar Hayat	(Public Member)
	Astra Josie Rose	(Public Member)
	Donna McNicol	(Public Member)
	Glenn Webster, M.Ed., C.Psych.Assoc.	(Non-voting)

College Staff Support Catherine Yarrow, MBA, Ph.D., C.Psych., Registrar & Executive Director
Rick Morris, Ph.D., C.Psych., Registrar & Executive Director
Prema Shankaran, Assistant to the Registrar

Dr. Denise Milovan was elected to District 6 (GTA West). Dr. Michael Grand was appointed as an Academic member on Council for a term of two years. Mr. D'Arcy Delamere and Ms. Donna McNicol were appointed in October 2015 each for a three year term.

The Council met eight times during the year, 5 meetings and 3 teleconferences. At the June 2015 meeting, Council appointed Mr. Peter McKegney as President and Dr. Lynette Eulette as Vice-President.

With the retirement of Dr. Catherine Yarrow, Dr. Rick Morris was appointed as Acting Registrar on October 1, 2015 and was later appointed the Registrar & Executive Director.

Council Actions Regulations

A small change was required to correct an error in the Registration Regulation that was approved in April 2015. A 60 day-consultation was circulated to membership and the proposed changes have been submitted to the Ministry of Health and Long-Term Care.

Bylaws

Council made an amendment to By: Law 9: Banking and Finance to allow for a second local signing officer if the President and Vice-President do not reside in the GTA.

Strategic Issues

At each meeting Council monitored and noted progress on initiatives relating to the College's Strategic Direction.

Policy Issues

Entry to Practice: Stakeholders were consulted in January – February 2016 on the proposed timelines for implementation of the March 2013 policy decision to discontinue master's level registration, grandparent Psychological Associates as Psychologists and to develop a mechanism to evaluate internationally trained applications.

Transparency: The Council endorsed the transparency principles developed by the Advisory Group for Regulatory Excellence (AGRE) in September 2015. Following this, a two-step consultation and implementation plan was developed for considering College transparency initiatives. A consultation was circulated to membership on the first stage of these transparency initiatives. Further discussion and implementation will continue into 2016-2017. As an immediate transparency initiative, in April 2016 Council approved amendments to *Policy 1-4: Observers and Guests at Council Meetings: Procedures and Materials*, which now provides for Council meeting materials to be posted on the College website.

Counselling Psychology: Council approved the amended definition of Counselling Psychology.

Succession Plan: Council approved the Succession Plan for the position of Registrar/Executive Director in August 2015 which was then employed following the leave and subsequent retirement of the Registrar.

Role of President: The Council amended *Policy 1 – 12: Role of President* to clarify that a member of Council may serve a maximum of 3 one-year terms as President regardless of how many years he/she may be on Council or re-elected to Council.

Business

Council received quarterly reports and annual reports from the statutory committees and an annual report on the Jurisprudence and Ethics Examination.

Financial

Council appointed signing officers for the year, received quarterly financial statements, approved the audited financial statements for the fiscal year ending May 31, 2015 and appointed auditors for the following year. In addition, Council authorized a transfer of funds from the unrestricted net assets to the Website and Database Development fund. Council approved the annual budget for 2015-2016.

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
STATEMENT OF REVENUE & EXPENSES
12 Periods Ended 31/05/2016

	2015-2016 Budget	Budget YTD	2015-2016 YTD	2015-2016 % To Date	Expected % To Date	% Variance YTD	\$ Variance YTD	Year-End 31-May-16
REVENUE	3,238,000	3,237,983	3,380,748	104%	100%	4%	142,765	3,380,748
COST OF SALES	271,500	271,500	269,802	99%	100%	-1%	-1,698	269,801
GROSS MARGIN	2,966,500	2,966,483	3,110,946	105%	100%	5%	144,463	3,110,947
EXPENDITURES:								
Governance	116,900	116,900	90,894	78%	100%	-22%	-26,006	90,893
Registration	70,400	70,400	98,883	140%	100%	40%	28,483	98,883
Client Relations, Communications & Education	81,200	81,200	96,011	118%	100%	18%	14,811	96,009
Quality assurance	26,800	26,800	5,501	21%	100%	-79%	-21,299	5,501
Investigations and resolutions	105,100	105,100	83,368	79%	100%	-21%	-21,732	83,368
Hearings	286,300	286,300	163,391	57%	100%	-43%	-122,909	163,391
Government relations	0	-	-	-	-	-	-	0
Liaison (Professional Organizations)	38,900	38,900	32,420	83%	100%	-17%	-6,480	32,420
Administration	2,426,400	2,426,400	2,231,946	92%	100%	-8%	-194,454	2,231,945
Total Expenditures	3,152,000	3,152,000	2,802,413	89%	100%	-11%	-349,587	2,802,410
EXCESS OF REVENUE OVER EXPENDITURES	-185,500	(185,517)	308,533	-166%		-266%	494,049	308,537

REPORT OF THE INDEPENDENT AUDITOR ON SUMMARY FINANCIAL STATEMENT

TO THE MEMBERS OF THE COUNCIL OF THE THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

The accompanying summary financial statements of The College of Psychologists of Ontario (the "College"), which comprise the summary statement of financial position as at May 31, 2016, and the summary statement of operations for the year then ended, are derived from the audited financial statements of the College for the year ended May 31, 2016. We expressed an unmodified audit opinion on those financial statements in our report dated September 30, 2016.

The summary financial statements do not contain all the disclosures required by Canadian accounting standards for not-for-profit organizations. Reading the summary financial statements therefore, is not a substitute for reading the audited financial statements of the College.

Management's Responsibility for the Summary Financial Statements

Management is responsible for the preparation of a summary of the audited financial statements in accordance with Canadian accounting standards for not-for-profit organizations.

Auditor's Responsibility

Our responsibility is to express an opinion on the summary financial statements based on our procedures, which were conducted in accordance with Canadian Auditing Standard (CAS) 810, "Engagements to Report on Summary Financial Statements".

Opinion

In our opinion, the summary financial statements derived from the audited financial statements of the College for the year ended May 31, 2016 are a fair summary of those financial statements, in accordance with Canadian accounting standards for not-for-profit organizations.

Toronto, Ontario
September 30, 2016

CHARTERED ACCOUNTANTS
Licensed Public Accountants

SUMMARY STATEMENT OF FINANCIAL POSITION**AS AT MAY 31, 2016**

	2016	2015
ASSETS		
Current assets		
Cash and cash equivalents	\$ 6,838,388	\$ 6,765,555
Prepaid expenses and sundry receivables	73,584	25,340
Investments - short term	1,120,052	523,359
	8,032,024	7,314,254
Investments - long term	353,116	553,734
Property and equipment	203,089	200,559
	8,588,229	8,068,547
LIABILITIES		
Current liabilities		
Accounts payable and accrued liabilities	271,600	296,401
Registration fees received in advance	2,680,868	2,444,918
	2,952,468	2,741,319
NET ASSETS		
Invested in capital assets	203,089	200,559
Internally restricted reserve funds	3,278,935	3,153,935
Unrestricted	2,153,737	1,972,734
	5,635,761	5,327,228
	8,588,229	8,068,547

SUMMARY STATEMENT OF OPERATIONS**YEAR ENDED MAY 31, 2016**

Revenues		
Registration fees	3,121,522	3,066,764
Examination fees	162,880	169,370
Interest and miscellaneous income	96,347	100,731
	3,380,749	3,336,865
Expenses		
Administration	2,139,096	2,157,493
Professional services	92,850	112,493
Investigations, hearings and resolutions	246,759	297,789
Examination and seminar costs	277,142	272,052
Governance	90,895	86,923
Registration	98,883	57,327
Professional organizations	32,420	32,295
Communication, education and training	88,670	78,333
Quality assurance	5,501	7,309
	3,072,216	3,102,014
Excess of revenues over expenses for the year	\$ 308,533	\$ 234,851

Complete audited financial statements available upon request from the office of the Registrar.

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: Audited Financial Statement

MOVER: TBD

RATIONALE:

**MAIN MOTION: THAT THE AUDITED FINANCIAL STATEMENTS FOR 2015-2016
BE APPROVED**

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Audited Financial Statements Year-Ending May 31, 2016

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: Appointment of Auditors for 2016-2017

MOVER: TBD

RATIONALE:

MAIN MOTION: THAT THE FIRM OF Clark Henning LLP BE APPOINTED AS AUDITORS FOR THE COLLEGE FOR THE YEAR OF 2016-2017

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS: None

**Finance and Audit Committee (FAC) Report
From Meeting on September 9, 2016**

The FAC reviewed the quarterly unaudited financial statements, the investment report, and the variance report to May 31, 2016. Any questions from the Committee were answered by the Registrar or the Manager, Administration. Based on these reports, the Committee was satisfied that the College continues to operate with integrity and in a financially responsible manner.

As a result of discussion about the Council, Executive and FAC oversight of the College's quarterly finances and variance report, the FAC is recommending a change to the "materiality" of variances reported quarterly. Council will be asked to approve a change in reporting on overspending from items \$2000 overspent to those where overspending exceeds \$5000. As well, Council will be asked to approve additional reporting of variances for items which are \$10,000 underspent. [see item 2016.03.05b(4i)]

A statement of compliance regarding College remittances for government taxes (health tax, payroll tax) was presented and received by the Committee.

A primary purpose of the FAC meeting was to review the draft Audited Financial Statements with the College's auditor. After reviewing the statements with the auditor, the Committee agreed that the College is in good financial health. The FAC is recommending to Council that the Audited Financial Statements, to be presented by the auditor to the September meeting, be accepted.

The FAC reviewed and discussed the College fees for Registration Examinations and Professional Incorporation. In consultation with the Executive Committee, the FAC is recommending some fee reductions. This recommendation is being brought forward to the September Council meeting. [see item 2016.03.05b(4ii)]

The FAC also reviewed our Reserve Funds and are making a recommendation to Council about moving some funds to the Premises Reserve Fund in anticipation of future leasing needs. [see item 2016.03.05b(4iii)]

The FAC reviewed the College's current investment strategy and the presentation to the Executive Committee. It was suggested that the Registrar and Mr. Delamere meet with the College investment advisors to review the current strategy and available options and report to Executive and Council on any change to the investment policy being recommended.

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: Variance Reporting - Materiality

MOVER: TBD

RATIONALE:

In reviewing the Variance Report to May 31, 2016, the Finance and Audit Committee (FAC) discussed the question of “materiality”. That is, the level of variance from the budget that should be discussed Variance Report. Currently, staff report when an item is at least \$2,000 overspent to budget (or 1% for Salaries). It was the opinion of the FAC that this level of “materiality” was too low given the overall size of the College budget. They noted that for the purposes of the year-end audit, the auditors set “materiality” at \$34,000. To this end the FAC suggested that the level be increased to items that exceeded \$5,000.

The question was raised regarding under expenditures noting that these are not reported on at this time. It was suggested that the Council oversight of the College’s quarterly finances should include not only reporting on items overspent but also those which are “materially” underspent. That is, deviations from the budget in a significantly positive direction. The FAC considered the question of “materiality” as it relates to items underspent and decided this should be established at \$10,000.

MAIN MOTION: THAT THE CRITERIA FOR REPORTING OF QUARTERLY VARIANCES BE ESTABLISHED AS FOLLOWS:

- A. LINE ITEM EXPENDITURES THAT EXCEED THE BUDGET BY AT LEAST \$5,000, AND,**
- B. LINE ITEM UNDER EXPENDITURES THAT ARE BELOW THE BUDGET BY AT LEAST \$10,000**

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: PROPOSED AMENDMENTS TO *BY-LAW 18: FEES*

MOVER: TBD

RATIONALE: In view of the College's strong financial situation, the Finance and Audit Committee, with support of the Executive Committee is bringing forward some amendments to *By-Law 18: Fees*. The following fee reductions are recommended to Council:

- Jurisprudence Examination fee from \$270 to \$200
- Oral Examination fee from \$740 to \$550
- Corporation Renewal fee from \$350 to \$250
- Corporation Application fee from \$500 to \$350

MAIN MOTION: THAT THE PROPOSED AMENDMENTS TO *BY-LAW 18: FEES* BE APPROVED FOR CIRCULATION TO MEMBERSHIP

BUGETARY IMPLICATIONS: The financial impact on the College would be reduction in the annual revenues of approximately \$73,250.

SUPPORTING DOCUMENTS:

- Memo: Examination and Other Fees Review
- By-Law 18: Fees with proposed changes



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** September 30, 2016
From: Dr. Rick Morris, Registrar & Executive Director
 Finance and Audit Committee **CC:**
Re: Review of Fees

Council Action Required: Approval of changes to *By-law 18: Fees* for circulation to the membership.

A review of the various College fees is undertaken each year at the summer meeting of the Finance and Audit Committee (FAC) with any recommended changes to be brought to the next Council meeting. This item is also considered by the College Executive Committee meeting.

In reviewing current fees, two areas of fee reductions were considered:

1. Reduction of fees that would benefit the newest members of the profession; and,
2. Current fees for initial application and renewal of professional corporations.

There is recognition that the fees for the various examinations can prove to be a hardship for many candidates for registration. This would include the fees charged for the Jurisprudence and Ethics Examination (JEE) and the Oral Examination. The College currently subsidizes these examinations as both are offered below cost. Even given this however, it was felt that further assistance would be both beneficial to these individuals and acceptable to the larger membership. It was noted that the fees for are set to booking ASPPB and therefore not available for College consideration.

A review of the fees for initial application and annual renewal of professional corporations was also undertaken. It was noted that these fees were set about a decade ago when professional corporations first became possible for members. At that time, fees were based on what other a number of other Colleges decided to charge as there was no experience upon which to determine the appropriate fee. It has been determined that these can be reduced based on the costs incurred to process initial applications and renewals.

The FAC and the Executive Committee recommend the follow reductions:

Item	Current Fee	Recommended Fee
JEE Fee	\$270	\$200
Oral Examination Fee	\$740	\$550
Initial Professional Corporation Application	\$500	\$350
Annual Renewal of Professional Corporation	\$350	\$250

Based on current projections for the number of individuals writing the exams and the number of anticipated new and renewed professional corporations, it is estimated that these reductions will result in approximately \$73,000 in reduced College revenue. A review of the College's financial statements indicates that the College has the resources to fund this revenue decrease.

The change, if approved, would be included in the upcoming year's budget proposals to go into effect June 1, 2017 to coincide with the new fiscal year.

A change to *By-law 18: Fees* requires 60 day circulation to the membership prior to approval. If approved, the proposed change would be circulated to the membership for final Council approval at the December meeting.

DRAFT

BY-LAW 18: FEES

[Approved by Council December 1999; amended March 2001; amended February 2002; amended March 2003; amended March 2004; September 2005, March 27, 2009; December 13, 2013; December 2014, September 2016]

This by-law is made under the authority of the Regulated Health Professions Act, 1991 as amended, and the Psychology Act, 1991 as amended.

Note: The requirements for each certificate of registration are set out in the Registration Regulation.

Membership

- 18.1 Every member shall pay an annual membership fee in accordance with this by-law for each membership year.
- 18.2 A membership year begins on June 1 in one year and ends on May 31 of the following year.
- 18.3 (a) The annual fee for membership must be paid on or before June 1 in the membership year.
 (b) Notwithstanding subsection (a), the annual fee for a member holding a Certificate of Registration Authorizing Supervised Practice is payable in two equal instalments on or before June 1 and December 1 in the membership year.
- 18.4 The annual fee for membership is,
 (a) \$795 for members who hold a certificate of registration for regular status;
 (1) effective June 1, 2015, \$550 for members who hold a Certificate of Registration Authorizing Supervised Practice
 (b) \$238.50 for members who hold a certificate of registration for inactive status;
 (c) \$50 for members who hold a certificate of registration for retired status; and
 (d) \$397.50 for members who hold a certificate of registration for academic status.

Effective the date that the amended registration regulation comes into force, section 18.4 is repealed and the following substituted:

- 18.4 The annual fee for membership is,
 (a) \$795 for members who hold
 (1) a Certificate of Registration Authorizing Autonomous Practice,
 (2) a Certificate of Registration Authorizing Interim Autonomous Practice, or
 (b) (1) before June 1, 2015, \$795 for members who hold a Certificate of Registration Authorizing Supervised Practice
 (2) effective June 1, 2015, \$550 for members who hold a Certificate of Registration Authorizing Supervised Practice;
 (c) \$238.50 for members who hold an Inactive Certificate of Registration;
 (d) \$50 for members who hold a Retired Certificate of Registration; and
 (e) \$397.50 for members who hold an Academic Certificate of Registration.
- 18.5 No later than 30 days before an annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due.
- 18.6 A member who fails to pay an annual fee on or before the day on which it is due shall pay a penalty of 10 per cent of the annual fee, in addition to the annual fee.

Quality Assurance Program

18.7 A fee of \$25.00 shall be paid by any member who is sent a second reminder letter notifying the member of failure to complete the mandatory Declaration of Completion related to the Self-Assessment Guide and Professional Development Plan.

Examinations

18.8 The fee for the Examination for Professional Practice in Psychology is the fee set by the Association of State and Provincial Psychology Boards and its contractors.

18.9 The fee for the Jurisprudence and Ethics Examination is ~~\$200270~~.

18.10 The fee for the oral examination is ~~\$550740~~.

Interviews

18.11 The fee for an interview is \$500.

Applications

18.12 (a) The fee for an application for a Certificate of Registration Authorizing Supervised Practice is \$230.

(b) Notwithstanding subsection (a), the fee for an application for a Certificate of Registration Authorizing Supervised Practice is \$100, if the applicant holds a Certificate of Registration Authorizing Autonomous Practice as a Psychological Associate.

18.13 (a) The fee for an application for a Certificate of Registration Authorizing Interim Autonomous Practice is \$100.

(b) Where section 22.18 of the Code applies, the fee for an application for a Certificate of Registration Authorizing Autonomous Practice is \$100.

18.14 (a) The fee for an application for each of the following certificates is \$100:(1) Academic Certificate of Registration;

(2) Inactive Certificate of Registration;

(3) Retired Certificate of Registration;

(b) Where an applicant for a Certificate of Registration Authorizing Autonomous Practice holds one of the certificates listed in subsection (a), the fee for the application is \$100.

Professional Corporations

18.15 The fee for the application for, and issuance of, a certificate of authorization, including any reinstatement of a certificate of authorization, for a professional corporation is ~~\$350500~~.

18.16 The fee for the annual renewal of a certificate of authorization is ~~\$250350~~.

18.17 A professional corporation or a member listed in the College's records as a shareholder of a professional corporation shall pay an administrative fee of \$50 for each notice sent by the Registrar to the corporation or member for failure of the corporation to renew its certificate of authorization on time. The fee is due within 30 days of the notice being sent.

18.18 The fee for the issuing of a document or certificate respecting a professional corporation, other than the first certificate of authorization or the annual renewal of a certificate of authorization, is \$50.

Other Matters

18.19 The fee for issuance of a document confirming a member's registration status is \$25.

MOTION SUBMISSION FORM
MEETING: 2016.03
DATE: September 30, 2016

SUBJECT: MOVEMENT OF FUNDS FROM UNRESTRICTED TO PREMISES RESERVE FUND

MOVER: TBD

RATIONALE: The College has a number of internally restricted reserve funds. One of these is the Premises Reserve Fund which currently has a balance of \$152,453. The current office lease expires in about five years, in December 2021. It is anticipated that at that time, the cost of the office space, whether through a renewal in the current location or a move to a new location, will increase significantly. The Finance and Audit Committee suggested at its meeting of September 9, 2016 that, in anticipation of this, the College begin to set aside the funds to handle this eventuality. The FAC is recommending that, through a transfer from the Unrestricted Reserves, the Premises Reserve Fund be increased by \$97,547 to \$250,000. In future years, leading up to the lease expiration date, further transfers to this fund can be considered.

MAIN MOTION: THAT THE \$97,547 BE TRANSFERRED FROM THE UNRESTRICTED RESERVES TO THE PREMISES RESERVE FUND.

BUGETARY IMPLICATIONS: No net implications as this is solely a transfer of funds within College Reserve Funds.

SUPPORTING DOCUMENTS: None