



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

COUNCIL MEETING 2017.03 September 15, 2017

Present:

Lynette Eulette, Ph.D., C.Psych., President
Ruth Berman, Ph.D., C.Psych., Vice-President
Kristin Bisbee, Public Member
Judy Cohen, Public Member
Dorothy Cotton, Ph.D., C.Psych.
D'Arcy Delamere, Public Member
Christine DiZazzo, M.Ps., C.Psych.Assoc.
Michael Grand, Ph.D., C.Psych.

Jaffar Mohammad Hayat, Public Member
Marilyn Keyes, Ph.D., C.Psych.
Elizabeth Levin, Ph.D., C.Psych.
Denise Milovan, Ph.D., C.Psych.
Patricia Minnes, Ph.D., C.Psych.
Ethel Teitelbaum, Public Member
Glenn Webster, M.Ed., C.Psych.Assoc.

Regrets:

Donna McNicol, 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: Office of the Registrar, Recorder

2017.03.00 Call to Order

The President called the meeting to order at 9:01AM.

The President announced that the Ministry of Health and Long-Term Care has appointed a new public member to Council. Mr. Cory Richman will join Council at its next meeting and will be appointed to committees by the Executive Committee.

Council was reminded that Council meetings are a scent-free environment and to please abstain from using fragrances to assist those with scent allergies.

2017.03.01 Approval of the Agenda and Minutes

.01a Approval of Agenda

The following changes were made to the agenda:

Moved:

.02b Registrar's Report to .04g

.02e(2) Registration Committee Report to .04a

.02e(4) Inquiries, Complaints and Reports Committee Report to .04a

Added:

- .04f Update on Registration Regulation
- .05d Regulation of Applied Behaviour Analysis
- .05e Council Self-Assessment

It was MOVED Cohen

That the agenda be approved as amended.

CARRIED

.01b Declarations of Conflicts of Interests

There were no declarations of conflicts made.

.01c Minutes Council Meeting 2017.02 on June 23, 2017

The following changes were made to the June 23, 2017 Council Minutes

Line 247: "Psychosocial" changed to "Psychological"

Line 253: Added an Action Item for Staff "Include information on the 4th Edition of the *Canadian Code of Ethics for Psychologists* in the next eBulletin."

It was MOVED Levin

That the minutes from the Council Meeting 2017.02 of June 23, 2017 be approved as amended. CARRIED

.01d Minutes from the *IN CAMERA* Council Meeting 2017.02 on June 23, 2017

It was MOVED Cotton

That the minutes from the *IN CAMERA* Council Meeting 2017.02 of June 23, 2017 be approved.

CARRIED

It was noted that any future *IN CAMERA* materials sent to Council members will be password protected.

.01e Review of Action List

The Council reviewed the Action List from the minutes of the previous meeting and noted items that were completed, outstanding or on the agenda at this meeting.

2017.03.02 Consent Agenda

It was MOVED Milovan

That the Consent Agenda be approved.

CARRIED

2017.03.03 Policy Issues

.03a By-law 20: Election to Council

The Registrar provided Council with a Briefing Note outlining suggested amendments to *By-law 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification*. Council was reminded that many amendments were approved for circulation in June 2016. Subsequent to that meeting, some additional revisions to the criteria for the appointment of academic members came to light, specifically these included:

- 20.3 - Clarification of the composition of the professional training programs that make recommendations to Council for Academic Member Representation; and,
- 20.8(1)(a) - Changes to the language setting out eligibility of a member who holds a full-time academic appointment 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.

Further revisions were brought to the September 2016 Council meeting with a decision deferred until feedback was received from the Ministry of Health and Long-Term Care regarding the *Shaping the Future* Briefing Note provided to them. As previously reported to Council, a response from the Ministry is not anticipated between now and the remainder of the year and as such it would seem prudent to move forward with the proposed changes to *By-law 20*.

Council reviewed and discussed the proposed amendments. In response to a question, the Registrar explained that members of academic departments would receive this consultation as they are members of the College, in addition the Directors of Clinical Training will be meeting in October at which time they can be reminded that this consultation is open to response.

Concern was raised that the changes made to 20.8(a) could prevent a master’s level practitioner from holding an academic seat. It was noted however, that while there were currently no master’s programs represented at the ‘training programs’ table, there was no restriction in this. It was explained that the phrasing in 20.8(1)a would allow a faculty member of a full-time master’s program to be eligible for the academic seat if the program was found to be equivalent of a CPA accredited program.

It was MOVED Minnes

That the amendments to *By-law 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification* be approved for circulation to the membership. CARRIED

Action Item Staff

Circulate proposed amendments to *By-Law 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification* to the membership for consultation.

.03b *By-law 21: Committee Composition*

The Registrar provided Council with a Briefing Note describing the response to the circulation of the suggested amendments to *By-law 21: Committee Composition*. Council had approved circulation at the June 2017 meeting. Council reviewed, discussed the consultations results and determined that no additional changes were required.

It was MOVED Cohen

That the proposed amendments to *By-law 21: Committee Composition* be approved. CARRIED

Action Item Staff

Amend *By-law 21: Committee Composition*.

.03c *By-law 18: Fees*

The Registrar provided Council with a Briefing Note outlining suggested amendments to *By-law 18: Fees*. Council reviewed and discussed the proposed amendments. Council was reminded that any changes to *By-law 18: Fees* requires circulation to the membership for 60 days before final Council approval.

Over the past year, several matters have arisen suggesting the need for amendments to *By-law 18: Fees*. These related specifically to the:

1. Housekeeping deletion of section 18.4 related to anticipated proclamation of the Registration Regulation which has subsequently been proclaimed;
2. Administration Fee charged to members who do not submit their Quality Assurance documentation on time;
3. Professional Corporation Fee charged for non-renewal of the Certificate of Authorization on time; and,
4. Fees related to Orders and Directions of the College;

By-law 18: Fees was previously reviewed in 2016-2017 with changes made to the fees for examinations and professional corporations. No changes to membership fees are being proposed. Council reviewed and discussed the proposed amendments.

It was MOVED Delamere

That the proposed amendments to *By-law 18: Fees* be approved for circulation to the membership.

CARRIED

Action Item Staff

Circulate proposed amendments to *By-Law 18: Fees* to the membership for consultation.

.03d Policy III F-4 Per Diems and Council and Committee Compensation

The Registrar provided Council with a Briefing Note outlining suggested changes to *Policy III F-4 Per Diems and Council and Committee Compensation*. It is being recommended that section 6 of the policy be amended with an addition that will permit requests for preparation time from Committees other than Registration and ICRC. The amendment suggests that these requests will be reviewed by the Executive Committee. Such requests would be made if Committee members were required to review an unusually large amount of material in preparation for a meeting.

It was MOVED DiZazzo

That the amendments to *Policy III F-4 Per Diems and Council and Committee Compensation* be approved.

CARRIED

Action Item Staff

To amend *Policy III F-4 Per Diems and Council and Committee Compensation* in the *College's Policies and Procedure Manual*.

.03e Transparency Initiatives

Further discussions of the *College's Transparency Initiatives* had been deferred since September 2016. The Council was asked to evaluate whether more work should be undertaken on the *Transparency Initiatives* independently now, or if this item should be removed from the Action List. The Council discussed Bill 87 and the Minister's increased regulation-making powers regarding the Public Register requirements of the Health Regulatory Colleges. It was decided to remove this item from the Action List pending further information/direction from the Ministry.

It was MOVED Cotton

That further transparency initiatives not be pursued until there is information on the changes to be made by the Minister to the further regulations pertaining to the public register.

CARRIED

2017.03.04 Business Issues

.04a Annual Reports

The Council reviewed the Annual Reports for the Committees for the 2016-2017 year.

.04a(3) Registration Committee

Council discussed the Registration Committee's quarterly report to Council along with its Annual Report. In response to a question on the quarterly report, the Director, Registration explained that a recent Health Profession Appeal and Review Board (HPARB) decision recommended that the Committee be more flexible with the interpretation of the non-exemptible registration requirement concerning undergraduate instruction in psychology. Currently, applicants applying for the psychological associate title must graduate from a master's program whose entry requirements include 576 hours of undergraduate instruction in psychology. Based on the advice from HPARB and in consultation with College counsel, the Registration Committee decided that the qualifications of the individual, not the program should be considered. That is, an individual will be considered to have met this requirement if he/she has 576 hours of undergraduate instruction in psychology even if this was not an entry requirement for the master's program.

The Council queried the report of the large number of applicants graduating from Ontario Universities that require retraining plans. The Director, Registration noted that most Ontario graduates with retraining are members looking to add/declare additional areas of practice.

.04a(4) Inquiries, Complaints and Reports Committee

Responding to a question regarding the number of "unknown" cases noted in the ICRC quarterly report, the Director, Investigations and Hearings clarified that these were cases in which there was not yet enough detail to determine into which category these complaints would fall. As more information is obtained through the investigation process, these cases would be assigned to one of the other categories.

It was MOVED DiZazzo

That the following Annual Reports for 2016-2017 be approved.

CARRIED

Council thanked the Registrar and staff for their work compiling the annual reports.

.04b Audit 2016-2017

Presentation of Audited Financial Statements by Ms. Liana Bell from Hilborn LLP, formerly Clarke Henning LLP.

The President welcomed Ms. Liana Bell, Auditor with Hilborn LLP, to the Council meeting and invited her to present the Audited Financial Statements for the year ending May 31, 2017. The Finance and Audit Committee (FAC) had reviewed the draft Audited Financial Statements with Ms. Bell and Mr. Deric Chan at their meeting on August 31, 2017. Ms. Bell discussed the following documents that had been provided to Council:

- Audit Findings Report
- Draft Audited Financial Statements

Ms. Bell congratulated the College on a clean audit. She noted that the College is in a healthy financial position with a number of Reserve Funds available for contingencies.

Ms. Bell commented that the College staff and management were well prepared for the audit. The College has appropriate internal controls and that all accounting estimates were appropriate and reasonable. There were no unusual transactions and no disagreements with management.

It was MOVED DiZazzo

That the Audited Financial Statements for 2016-2017 be approved.

CARRIED

It was MOVED Levin

That the firm of Hilborn LLP, formerly to Clark Henning LLP, be appointed as the auditors for the College for the year 2017-2018.

CARRIED

The President thanked Ms. Liana Bell for attending the Council meeting and presenting the Audited Financial Reports to the Council.

.04d Reserve Funds

The Registrar explained that a recent review of *Policy III F-2 Reserve Funds* suggested a need for revisions and updating. The Registrar provided the Council with a Briefing Note and a copy of the Reserve Fund policy.

The Reserve Fund policy currently states that if there is a year-end operating surplus, it is to be allocated to the Fee Stabilization Fund. Upon review, it does not appear additional allocations are needed to this Fund. It was decided that section iii(b) of the policy should be deleted which will have the effect of allowing Council more flexibility in deciding how to allocate or use the year-end operating surplus. As well, it was noted that section 4 restricted the use of certain surpluses to "revenue reduction". In keeping with the move to permit the Council more flexibility, it was decided to amend section 4 to include the option of utilizing these funds to enhance service.

It was MOVED Delamere

That *Policy III F-2* be amended to:

- a. **Delete iii (b) pertaining to the allocation of the annual operating surplus;**
- b. **Amend the statement regarding steps to be taken with respect to surpluses (4.) to include "or for increased spending in the service of the public, members and other stakeholders."**

CARRIED

Action Item Staff

To amend *Policy III F-2 Reserve Funds* in the College's *Policies and Procedure Manual*.

It was MOVED Cotton

That a "Future Projects" Working Group be struck to consider ways in which the College can provide further service to the public, members and other stakeholders.

CARRIED

The President asked Council that if there were members interested in being on the "Future Projects" Working Group to email either herself or the Registrar. This group will report to the Executive Committee.

Action Item RM

Accept names of Council members interested in the "Future Projects" Working Group.

The Council reviewed suggested allocations to the Investigations and Hearings Reserve Fund, the Contingency Reserve Fund and the Premises Reserve Fund. The Registrar was asked if it is intended that the Premises Reserve Fund will be used to purchase premises when the College's lease expires. The Registrar explained that the Premises Reserve Fund was established for the purchasing or leasing of premises. It was noted that the current definition does not include "leasing". Therefore, it was suggested that the definition be amended to include "or leasing" to add further clarity to potential uses of the Premises Reserve Fund.

It was MOVED Grand

That the Premises Reserve Fund be amended to read as follows:

"The Premises Reserve Fund is designated to provide funding for purchase or leasing of premises in the future and to minimize the impact on the operating budget for major expenses relating to the Colleges property..."

CARRIED

It was MOVED Hayat

That the following allocations be made to the reserve funds:

- a. **Investigations and Hearings Reserve Fund be increased by \$101,328 to \$850,000;**
- b. **Contingency Reserve Fund be increased by \$21,000 to \$1,000,000;**
- c. **Fee Stabilization Fund be decreased by \$383,532 to \$1,000,000 with funds moved to;**
- d. **Premises Reserve Fund which will be further increased by \$366,468 (a total of \$750,000) to \$1,000,000**

CARRIED

Action Item Staff

Amend the definition of the Premises Reserve Fund. Make the approved allocations to the discussed reserve funds.

.04e Barbara Wand Seminar Report

Council received and reviewed the report on the Barbara Wand Seminar which took place in June 2017 in Ottawa. Staff explained that this was the first out-of-town Seminar and that while there were some challenges with technology, overall it appeared to be successful. The next Barbara Wand Seminar will be held in Toronto in January 2018. The recording of the Ottawa Seminar is available for viewing.

Action Item Staff

Mention that the Barbara Wand Seminar is still available for viewing in the next eBulletin.

Action Item DCT Meeting

At the next meeting of the Directors of Clinical Training, mention to attendees that the Barbara Wand Seminar is still available to watch and that if students are interested in watching or joining the College emailing list to email the College.

.04f Regulation Update

This item was added to the agenda. On Wednesday, September 13, 2017 the Ministry of Health and Long-Term Care (MOHLTC) confirmed that the minor regulation adjustment has received an exception from posting on the Regulatory Registry for the required period. Given this, it is hoped that the amendment will be in place shortly.

Action Item Staff

Include a copy of the regulation amendment in the next Council materials if available at the time.

.04g Registrar's Report

This item was moved from the Consent Agenda. Council discussed the letter from the Ministry of Health and Long-Term Care (MOHLTC) to the Health Professions Regulatory Advisory Council (HPRAC) requesting further information on the controlled act of psychotherapy. The Registrar responded to questions and highlighted some of the questions that the Ministry is posing prior to moving forward with proclamation. The Registrar informed Council that HPRAC is continuing to gather information to inform their advice to the Minister and it is anticipated there will be further meetings with College representatives.

The Registrar included in his report information by Mr. Richard Steinecke from his *Legislative Update* prepared for the Federation of Health Regulatory Colleges of Ontario. This was a description of a recent court case on speaking with one voice as a Board or Council. Council discussed these principles and reaffirmed the importance of speaking with one voice as a Council.

2017.03.05 Strategic Issues

.05a Strategic Direction Implementation Update

The Registrar provided the Council with the updated *Strategic Direction Implementation Table*. Items added since the Council Meeting of June 23, 2017 were shown in **Bold**.

.05b Enterprise Risk Management

At the Training Day held prior to the Council meeting, the Council received a presentation on the Integrated (Enterprise) Risk Management software tool from the Healthcare Insurance Reciprocal of Canada (HIROC).

It was MOVED Delamere

That the Registrar move forward with the development and implementation of the Integrated (Enterprise) Risk Management process in conjunction with the Healthcare Insurance Reciprocal of Canada (HIROC) **CARRIED**

Action Item RM

Begin development and implementation of the Integrated (Enterprise) Risk Management process in conjunction with (HIROC).

.05c Generative Discussion: Improving Medical Reporting and Eliminating Driver License Returns

The Ministry of Transportation posted a notice of proposed steps to be taken to amend the mandatory reporting requirements within the Highway Traffic Act. Comments regarding the proposed changes are due by October 9, 2017. Included in the proposed changes are additional professions to whom mandatory reporting would apply as well as additional criteria for reporting. Currently, members of the College do not have a mandatory reporting obligation with respect to individuals with difficulties that could impact on their fitness to drive. Council discussed whether there was a need to respond to the consultation regarding obligations of members of the College and the College's mandate to protect public interest.

The Council decided that since there is already discretion to report available to members through the *Personal Health Information Protection Act, 2004*, no further mandatory reporting is required. The College will not respond to this consultation.

.05d Regulation of Applied Behaviour Analysis

This item was added to the agenda. In follow-up to discussions at the Training Day held prior to the Council meeting, it was the consensus of the Council that the College should play a role in the development of the regulation of Applied Behaviour Analysis.

It was MOVED Levin

That the Registrar engage in conversation with the Ministry of Health and Long-Term Care regarding the current status of Applied Behaviour Analysis regulation. CARRIED

Action Item RM

Report back to Council on engagement with the MOHLTC regarding the status of ABA regulation

.05e Council Self-Assessment Survey – Follow-Up

This item was added to the agenda. In follow-up to the conversations held at the Training Day, the Council directed the Executive Committee to develop an action plan based on the comments received during Council's discussion of the results from the Council Self-Assessment Survey.

Action Item Executive Committee

To develop an action plan based on the comments received during Council's discussion of the Council Self-Assessment Survey.

2017.03.06 Other Business

.06a Next Meetings of Council

- Friday, December 1, 2017
- Council Training: Thursday, March 8, 2018
- Council Meeting: Friday, March 9, 2018
- Friday June 22, 2018
- Council Training: Thursday, September 20, 2018
- Council Meeting: Friday, September 21, 2018

2017.02.07 Adjournment

There being no further business,

It was MOVED DiZazzo

That the Council Meeting be adjourned.

CARRIED

The Council Meeting was adjourned at 2:35PM

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

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

Minutes approved at the Council Meeting on December 1, 2017