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# COUNCIL MEETING

# 2024.05

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

## SEPTEMBER 27, 2024

### PRESENT:

**Ian Nicholson**, Ph.D., C.Psych., President  
**Peter Bieling**, Ph.D., C.Psych., Vice-President  
**Wanda Towers**, Ph.D., C.Psych.  
**Fred Schmidt**, Ph.D., C.Psych.  
**Jacob Kaiserman**, Psy.D., C.Psych.  
**David Kurzman**, Ph.D., C.Psych.  
**Rachel Wayne**, Ph.D., C.Psych.  
**Glenn Webster**, M.Ed., C.Psych.Assoc.  
**Conrad Leung**, M.ADS, R.B.A (Ont.), BCBA  
**Kay Narula**, M.ADS., R.B.A (Ont.), BCBA  
**Olivia Ng**, M.A., R.B.A (Ont.), BCBA  
**Kendra Thomson**, Ph.D., R.B.A (Ont.), BCBA-D  
**Cenobar Parker**, Public Member  
**Nadia Mocan**, Public Member  
**Ken Moreau**, Public Member  
**Paul Stopciati**, Public Member  
**Mary Kalantzis**, Public Member  
**Scott Warnock**, Public Member  
**Pascale Gonthier** Public Member

### REGRETS:

**Esther Vlessing**, Public Member  
**Maggie Toplak**, Ph.D., C.Psych.

### GUESTS:

**Liana Bell**, Hilborn LLP  
**Joy Lee**, Hilborn LLP

### STAFF:

**Tony Debono**, MBA, Ph.D., C.Psych., Registrar & Executive Director  
**Barry Gang**, MBA, Dip.C.S., C.Psych.Assoc., Deputy Registrar & Director, Professional Affairs  
**Lesia Mackanyn**, Director, Registration  
**Zimra Yetnikoff**, Director, Investigations & Hearings  
**Odessa Medallon**, Assistant to the Registrar, Recorder

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### **2024.05.00 CALL TO ORDER**

The President called the meeting to order at 9:00AM. The meeting was held in-person at the College office in Toronto and livestreamed on YouTube. The President began the meeting with a land acknowledgement statement in recognition and respect for Indigenous peoples.

### **2024.05.00A WELCOME OF NEW AND RETURNING COUNCIL MEMBERS**

The Registrar welcomed newly elected and appointed Council members of the College:

District 8 (Behaviour Analysts)

- Conrad Leung
- Kay Narula
- Olivia Ng

District 9 (Academic Member)

- Dr. Kendra Thomson

Public Members (Appointed by the Lieutenant Governor)

- Mary Kalantzis
- Ken Moreau

### **2024.05.00B ELECTION TO THE EXECUTIVE COMMITTEE**

The Registrar informed the Council that the first order of business was the election of Member of the College (Behaviour Analyst) to the Executive Committee. The Registrar confirmed that one Statement of Interest had been received for the said position. Prior to the election, the Registrar provided Council members with the opportunity to ask questions from the candidate.

According to *By-law 4: Election of Members of Executive Committee*, “4.7 Only, if there is no candidate for a position, members of Council may indicate their willingness to run at the first meeting of Council following the annual election.” Given that there is only one candidate for each of the six positions on the College Executive Committee, further expressions of interest will not be entertained at this meeting. Therefore:

The Executive Committee – Professional Member for 2024-2025 will be acclaimed as follow:

**Olivia Ng**, Professional Member

This is in addition to the current slate of Executive Committee elected on June 14, 2024:

**Ian Nicholson**, Professional Member, President

**Peter Bieling**, Professional Member, Vice-President

**Glenn Webster**, Professional Member

**Fred Schmidt**, Professional Member

**Paul Stopciati**, Public Member

**Scott Warnock**, Public Member

The Registrar congratulated the new member of the Executive Committee and requested that the President, Dr. Ian Nicholson, assume the Chair and conduct the proceedings of Council.

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## 2024.05.01 APPROVAL OF THE AGENDA AND MINUTES

### .01A APPROVAL OF AGENDA

**It was MOVED by Paul Stopciati**

**That the Agenda for the Council Meeting be approved as presented.**

**CARRIED**

### .01B DECLARATIONS OF CONFLICTS OF INTEREST

The President asked if any members of Council wished to declare a conflict of interest pertaining to the items on the Agenda. It was recognized that item *.04G Proposed Amendments to By-law 18: Fees* poses an unavoidable conflict for all members of the Council who are professional members of the College. The President reminded Council members that the potential for conflicts should be kept in mind throughout the meeting and declarations made at any time, if appropriate.

### .01C MINUTES FROM THE COUNCIL MEETING 2024.04 JUNE 14, 2024

Amendment to the minutes were requested.

**It was MOVED by Scott Warnock**

**That the Minutes of Council Meeting 2024.04 June 14, 2024, be approved as amended.**

**CARRIED**

### .01D REVIEW OF ACTION LIST

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

### .01E COUNCIL MEETING EVALUATION REVIEW

The Council reviewed the June 14, 2024, Council Meeting Evaluation results.

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## 2024.05.02 CONSENT AGENDA

The Consent Agenda was received.

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## 2024.05.03 POLICY ISSUES

### .03A AMENDMENT TO COLLEGE BY-LAW 19: APPOINTMENT OF NON-COUNCIL MEMBERS TO COMMITTEES OF THE COLLEGE AND CONDITIONS FOR DISQUALIFICATION

The Registrar provided the Council with a Briefing Note and a copy of the proposed amendments to *By-law 19: Appointment of Non-Council Members to Committees of the College and Conditions for Disqualification*. Within the College Performance Measurement Framework (CPMF), Governance is identified as one of the main domains contributing to a College effectively serving and protecting the public interest. The proposed By-law amendments are required to be circulated to the membership for at least 60 days. Feedback received will be provided to Council with a decision to occur at the December 2024 meeting.

At its March 11, 2022, meeting, the Council passed a motion to adopt amendments to *By-law 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification*, following consultation with its members which includes *cooling-off period* between a member's

participation on psychology professional associations and running for a Council seat. The CPMF specifies under Standard 2 of the Governance Domain, *“The College enforces a minimum time before an individual can be elected to Council after holding a position that could create an actual or perceived conflict of interest with respect their Council duties (i.e., cooling off periods).”* Currently, the College does not have a cooling-off period for non-Council Committee members who would be in a real or perceived conflict of interest as a result of their association involvement. A review of the policies of other Ontario health regulatory Colleges found that a one-year period is quite common, and therefore, this was suggested in the draft changes to the *By-law 19: Appointment of Non-Council Members to Committees of the College and Conditions for Disqualification*.

To reduce real and perceived conflicts of interest that could adversely impact fairness and impartiality, it is recommended that the Council extend the *cooling-off period* policy as an eligibility requirement when appointing non-Council members to committees. The Council engaged in a discussion regarding the proposed, with members expressing both support and opposition.

**It was MOVED by David Kurzman**

**That the proposed amendments to *By-law 19: Appointment of Non-Council Members to Committees of the College and Conditions for Disqualification* be changed from “1 year cooling-off period” to “upon appointment” be approved for circulation to the membership.**

**DEFEATED**

**Professional members in favour: 2**

**Professional members opposed: 9**

**Public members in favour: 2**

**Public members opposed: 5**

**It was MOVED by Jacob Kaiserman**

**That the proposed amendments to *By-law 19: Appointment of Non-Council Members to Committees of the College and Conditions for Disqualification* be approved for circulation to the membership as presented.**

**CARRIED**

**Professional members in favour: 9**

**Professional members opposed: 2**

**Public members in favour: 5**

**Public members opposed: 2**

**Action Item Office of the Registrar**

Circulate the proposed amendment to By-law 19 for a 60-day consultation and present the results at the December 2024 Council Meeting.

### **.03B PRESCRIPTION PRIVILEGES**

The Registrar provided an oral update on the request from government for further information regarding the potential regulation of prescription privileges for psychologists who meet specific requirements.

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## **2024.05.04 BUSINESS ISSUES**

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

The Council reviewed the President's Report for the first quarter.

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

The Council reviewed the Registrar's Report for the first quarter.

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

The Council reviewed the report for the first quarter.

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

The Council reviewed the report for the first quarter.

### **.04E 2023-2024 ANNUAL REPORTS**

The Council reviewed the Annual Reports for 2023-2024.

**It was MOVED by Fred Schmidt**

**That the 2023-2024 Annual Reports for the College's statutory and non-statutory Committees and Working Groups be approved.**

**CARRIED**

### **.04F AUDIT 2023-2024**

#### **Presentation of Audited Financial Statements by Ms. Liana Bell from Hilborn LLP.**

The President welcomed Ms. Bell, Auditor with Hilborn LLP, and invited her to present the Audited Financial Statements for the year ending May 31, 2024. The Finance and Audit Committee and the Executive Committee had reviewed the draft Audited Financial Statements with Ms. Liana Bell of Hilborn LLP at their meeting on August 29, 2024. Ms. Bell discussed the following documents that had been provided to Council:

- Audit Findings Report
- Draft Audited Financial Statements

The financial review for the year ending May 31, 2024, presented a positive outlook. Ms. Bell commented that the College management and staff were well prepared for the audit and cooperated fully throughout. She reported that a review of the College's internal financial controls indicated they were appropriate and complete. There were no unusual transactions and no disagreements with management regarding the audit findings. It was deemed a "clean audit."

Additionally, the extra funding provided by the Ministry in December 2023 helped cover expenses of regulating the new profession of ABA without relying on psychology's preexisting funds.

**It was MOVED by Paul Stopciati**

**That the Audited Financial Statements for the fiscal year ending May 31, 2024 be approved.**

**CARRIED**

**It was MOVED by Scott Warnock**

**That the firm of Hilborn LLP be appointed as Auditors for the College for the year ending May 31, 2025.** **CARRIED**

**.04G PROPOSED AMENDMENTS TO BY-LAW 18: FEES FOR CONSULTATION**

The Registrar provided Council with a Briefing Note and copy of proposed amendments to *By-law 18: Fees* for discussion. The Registrar presented a proposal to Council such that annual membership fees for dual certificate holders, regardless of the class of each certificate, should not exceed \$1,200.

Currently, a College registrant who holds a Certificate of Registration as a Behaviour Analyst Authorizing Autonomous Practice will pay \$795 per annum. If the same registrant also holds a Certificate Authorizing Supervised Practice as a Psychologist, they will need to pay a separate annual fee of \$600 for their Supervised Practice certificate. In sum, this registrant will be required to pay \$1,395 in annual membership fees, which exceeds the total membership fee paid by dually registered Autonomous Practice members. Other combinations of certificates of registration can also result in fees in excess of \$1,200, annually.

**It was MOVED by Kendra Thomson**

**That the Council approve the proposed amendment to the College By-law 18 – Fees, for circulation to the membership.** **CARRIED**

**It was MOVED by Ken Moreau**

**That the Council approve the proposed amendment be retroactive to July 1, 2024, and for any applicants who paid combined membership fees in excess of \$1,200.00 to date, a refund of the difference will be applied.** **CARRIED**

**Action Item Office of the Registrar**

Circulate the proposed amendment to By-law 18 for a 60-day consultation and present the results at the December 2024 Council Meeting.

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**2024.05.05 STRATEGIC ISSUES**

**.05A STRATEGIC DIRECTION IMPLEMENTATION UPDATE**

The Registrar provided the Council with the updated *Strategic Direction Implementation Table*. This table is used to chart the work undertaken and accomplished in fulfilling the College's Strategic Direction. Items added since the Council Meeting of June 14, 2024, were shown in **Bold**.

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**2024.05.06 OTHER BUSINESS**

**.06A NEXT COUNCIL MEETINGS:**

The next meeting of Council will be held on:

- December 15, 2023 - Council Meeting (Virtual)

**.06B PROPOSED COUNCIL MEETING:**

The following dates are proposed for the next Council meeting in 2025:

- Thursday, March 20, 2024 (Training Day; in-person)
- Friday, March 21, 2024 (in-person)

The Council discussed holding the March 2025 Council meeting and Training Day in-person instead, with some members expressing support for this format. Others have highlighted the need for flexibility by offering virtual and/or hybrid option for those who are not able to attend in-person. It was also recommended that the Council purchase a specialty meeting camera (e.g. OWL) to enhance the quality of hybrid meetings of the Council.

**It was MOVED by Ken Moreau**

**That March 20, 2025, be set as a Council Training Day and March 21, 2025, as Council Meeting to be both held in-person, unless by special exemptions.**

**CARRIED**

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#### **2024.05.07 ADJOURNMENT**

There being no further business,

**It was MOVED by Glenn Webster**

**That the Council Meeting be adjourned.**

**CARRIED**

The Council Meeting was adjourned at 11:10AM.

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Ian Nicholson, Ph.D., C.Psych., President

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Peter Bieling, Ph.D., C.Psych., Vice-President

**Minutes approved at the Council Meeting on December 13, 2024**