

The BULLETIN

THE • ONTARIO • BOARD • OF • EXAMINERS • IN • PSYCHOLOGY

APPOINTMENT TO THE BOARD

The Board is pleased to announce the appointment by the Lieutenant-Governor in Council of Dr. George Phills of London, Ontario, to a five year term on the Board, effective June 1, 1987. Dr. Phills replaces Dr. John McGrory whose appointment expired on May 31.

Dr. Phills was born and educated in Nova Scotia, receiving degrees from the University of King's College and Dalhousie University. His doctorate is from the University of London. Presently Chief of Psychological Services with the London Board of Education, he has served this school board as a consulting psychologist since 1964. Before coming to Ontario, Dr. Phills worked in a mental health centre and a hospital in Cape Breton. He has taught part-time at St. Francis Xavier University and the University of Western Ontario, where he also participates in the psychology department's internship program. His experience includes a year in Trinidad with the Canadian International Development Agency, teaching at the University of Trinidad, working on a mental health team, and assisting in the training of nurses in informal assessment techniques.

BOARD ACTIVITIES AS THEY AFFECT PSYCHOLOGISTS' FEES

The reported increase in the number of complaints lodged against psychologists in Ontario, published in the February 1987 issue of *The Bulletin*, parallels the trend noted by professional regulatory bodies across North America. In part, the greater frequency of complaints may be due to the greater knowledge and sophistication of the public in respect to their rights and the quality of services they are entitled to receive. To that can be added the heightened visibility of the various professional regulatory bodies, as well as the existence of other organizations concerned with the public welfare, the Office of the Ombudsman in Ontario, for example, or the provincial and federal human rights commissions.

The Board's forecast of the expense entailed in investigating these complaints, and in laying charges and holding hearings where necessary, led the Board to apply to the government for an amendment in the Regulation respecting fees. An increase in the renewal fee paid by psychologists from \$255 to \$300 has now been approved and represents an increase of 17.6 percent, an amount somewhat in excess of the rate of inflation over the two-year period since the last increase in psychologists' fees.

Professional regulatory bodies like the Ontario Board of Examiners in Psychology differ significantly from the voluntary or fraternal professional organizations, such as the Ontario Psychological Association, in the degree of independence with which they can set goals, develop sources of revenue or spend money.

The Board's revenue is derived mainly from psychologists' fees. For psychologists in On-

tario, however, fees for application, examination, renewal or reinstatement of certificates or registration are set in Regulation and may be amended only after the Board's request is reviewed and approved by a committee of the legislature. In a similar manner, some of its expenditures are also determined by Regulation, such as payment of Board members attending Board meetings and psychologists serving as examiners of candidates.

Within limits the Board controls the extent of its office operations. On the other hand it must have sufficient staff to deal effectively with its business, including complaints. And obviously the Board is unable to control the number of complaints it receives, or the expense entailed in dealing with these complaints. Under the Psychologists Registration Act, the Board is obligated to investigate complaints against psychologists and to take appropriate disciplinary action. In some cases this action may be protracted and expensive. (The cost to the Board in holding one hearing can, and has, exceeded \$30,000.) Although the noted percentage increase in renewal fees exceeds the rate of inflation over the relevant two-year period, the rate of increase does not exceed the 100 percent increase in the number of complaints or the fifty percent increase in the cost of legal services for the same two-year period. The present legislation does not permit the Board to recover any of these expenses by, for example, requiring psychologists found guilty of professional misconduct to pay costs.

To the extent that both revenue and expenses and the duties of the Board are set in legislation, and as the Board itself is appointed by the Lieutenant Governor in Council, rather than elected by the members of the profession, it cannot be claimed that the regulation of the profession of psychology in Ontario is "self

regulation" in the sense of being under the control of the members. Although it is expected that with new legislation psychologists will be able to elect the "council" that will administer the psychology Act, the legislature of Ontario will continue to set the principles of professional regulation and insert any "checks and balances" in this process that are required to ensure the public interest is served.

All groups and individuals who study professional regulation agree that it is expensive, particularly if it is done properly. In the fiscal year ending on May 31, 1987 it appears that approximately 25 percent of the Board's expenditures, excluding staff salaries, were directly related to complaints and discipline. The Board has directed considerable effort to providing information through *The Bulletin* that could assist psychologists in avoiding the kinds of mistakes that lead to complaints. In addition to publishing notes on problem areas, the Board staff provides a service to psychologists who present ethical or other professional problems or questions. Some descriptive statistics summarizing the Board's activities are presented in Tables 1, 2, and 3.

TABLE 1

Complaints Against Psychologists
Received Between June 1, 1986
and May 31, 1987
Categorized by Subject

SUBJECT OF COMPLAINT	NUMBER
SERVICES	
Testing procedures	2
Custody & access assessments	4
Vocational assessment	1
Substance abuse	1
Termination of services	3
Sexual impropriety	6
Obligations to parents	1
Confidentiality	2
Conflict of interest	1
Practising outside area of competence	1
Unprofessional language	1
PROFESSIONAL RELATIONS	
Interference with professional autonomy	1
Improper supervision	3
Unprofessional remarks about colleagues	2
CONDUCT OF PRIVATE PRACTICE	
Public statements	1
Advertising and announcements	6
Fees and billing	4
Incorporation	4
Improper vocational designation	2
Unprofessional business practices	3
Violation of the psychology act in Ontario	1
In another jurisdiction	2
TOTAL	52

TABLE 2

Questions Directed to the Ontario Board of Examiners in Psychology from June 1, 1986 to May 31, 1987

SUBJECT OF QUESTIONS	Source of Questions			
	Psychologists N	%	Others N	%
PROBLEMS IN ORGANIZATIONS				
Professional conflict	3	2	0	0
Protection of records and confidentiality	3	2	0	0
TOTAL	6	4	0	0
PROBLEMS IN PRIVATE PRACTICE				
Advertising and announcements	6	4	1	2
Partnerships & incorporations	1	1	1	2
Billing and collection	8	6	4	6
Referrals	2	2	0	0
TOTAL	17	13	6	10
INTERPRETATION OF STANDARDS				
General	9	7	7	11
Right of client to see report	3	2	1	2
Records and confidentiality	17	13	1	2
Consent, release of information	4	3	2	3
Retention of files	2	2	1	2
Obligation to provide raw data	10	8	3	5
Complaints and discipline	8	6	8	12
Expert testimony	5	4	3	5
Supervision	10	8	4	6
Close of a practice	3	2	1	2
Testing	4	3	0	0
Dual relationships	4	3	2	3
Research	8	6	2	3
TOTAL	87	67	35	54
LEGAL QUESTIONS				
Interpretation of the Act	0	0	1	2
Section 11	12	9	23	35
Malpractice insurance	1	1	1	2
TOTAL	13	10	25	39
QUESTIONS REFERRED TO ANOTHER RESOURCE I.E., OPA, CPSO				
	9	7	0	0
TOTAL	132	100	66	100

STANDARDS OF PRACTICE

Closing or sale of a practice

At the meeting of February 11, 1987 the Board approved the following guidelines dealing with the closing or sale of a psychologist's practice.

1. Psychologists who intend to close their practice must provide clients with reasonable notice of their intention and must make alter-

TABLE 3

Disposition of Complaints and Disciplinary Action Taken: June 1, 1986 to May 31, 1987

Action taken	Number of Complaints
COMPLAINTS NOT REQUIRING DISCIPLINE	
Withdrawn	2
Dismissed	15
Resolved/deficiency rectified	19
INVITATION TO MEET WITH THE BOARD TO DISCUSS CONCERNS	
Invitation held	4
Invitation held, undertaking required	1
COMPLAINTS REQUIRING DISCIPLINE	
Charges pending	3
Charges laid	3
Hearings held ¹	3
Registration refused (hearing possible under Section 7)	2
TOTAL ²	69

¹ The three hearings held occupied 12 days and required the presence of three Board members throughout.

² Of the 69 complaints cases active during the noted period, 17 had been lodged in the previous year.

native arrangements for the continued care of the client in accordance with Principle 2.6 of the Standards of Professional Conduct.

2. Psychologists selling a practice must satisfy themselves that the psychologist taking over the practice has the appropriate background and training to provide services to their clients.
3. If the practice has been sold the psychologist may provide the client with the name of the purchaser or the name of an appropriate referral source.
4. Records should not be turned over to the psychologist purchasing the practice or to another psychologist selected by the client without the consent of the client. If the client does not wish the psychologist to transfer these records, the psychologist is responsible for the preservation and security of the records for a minimum of six years after the date of last entry in accordance with Principle 7.8 of the Standards of Professional Conduct.

Instructions to Executors on Disposition of Psychological Files

An Ontario psychologist raised the question of whether instructions on the disposition of client files in the event of unexpected death should be left with his/her Executor. An informal survey conducted by the psychologist had indicated that many psychologists believed that in such circumstances their files should be disposed of, by burning or shredding. To the contrary, the

Board considers that psychologists have the responsibility to keep their files both accessible and confidential for the six years required in the Standards of Professional Conduct which in Principle 7.8, state:

Where a psychological service discontinues functioning, the directing psychologist is responsible for the preservation and security of each client record for a minimum of six years after the date of last entry in a client's record. Where the records must be transferred to another person, this must be to another psychologist.

A psychologist should therefore make prior provision for the preservation and security of client files for six years from the date of last entry in the event of his/her demise. This may be through a documented agreement with another qualified psychologist, or alternatively by instruction to his/her Executor naming a qualified person or persons to be contacted by the Executor after his or her death.

The Board noted with interest the following statement in the March, 1987 issue of the *APA Monitor* which appears to parallel the Board's position.

The APA Ethics Committee recently broached the question of what should be done with a therapist's records after his or her death. Committee members agreed to strongly recommend that psychologists establish a process for the transfer and/or retention of their records in the event of their deaths. The committee felt that not to do so could be construed as a violation of Principle 5.c of the Ethical Principles of Psychologists, which states that psychologists "make provisions for maintaining confidentiality in the storage and disposal of records." and the Preamble to Principle 6, which mandates that psychologists "protect the welfare of the people and groups with whom they work."

Listing with the Canadian Register of Health Service Providers in Psychology

Over four hundred Ontario psychologists are now listed with the Canadian Register of Health Service Providers in Psychology (CRHSPP) and many have approached the Board for direction on how they may properly inform others of this listing. After discussion at its February meeting, the Board considered that it would be appropriate for psychologists to refer to listing by CRHSPP in a resume, but that it would not be acceptable to include this information in advertising, on letterhead or business cards, listings in the telephone directory, or other announcements of services.

This decision is consistent with Principle

4.4. of the Standards of Professional Conduct which states:

4.4 In announcing or advertising the availability of psychological services or products, psychologists do not display any affiliations with an organization in a manner that falsely implies the sponsorship or certification of that organization. In particular and for example, psychologists do not offer membership or fellowship in the Canadian Psychological Association, the Ontario Psychological Association, or other associations as evidence of qualification.

In creating its list CRHSPP has identified those psychologists who have testified that they have acquired a given set of experiences. CRHSPP however is not a licensing or examining body. ■

REFERRAL SERVICE FOR LAWYERS

The Board has learned of a company whose business is operating a referral service for lawyers in search of expert witnesses.

The Board wishes psychologists to be aware of this company and the business arrangements it requires an expert to agree to. According to our sources, the expert must submit his or her account to the company which in turn bills the lawyer, after adding an "overhead factor" that may be as high as 70 percent. The expert must agree not to divulge any details of this financial arrangement to the client. The expert must also agree that any future referrals he or she receives, directly or indirectly, through the company, during the life of the agreement and for 18 months thereafter, will be billed through the company.

Psychologists should be aware of the following Principles of the Standards of Professional Conduct that could be violated by entering into this type of arrangement:

- 2.7. A psychologist shall seek to work with other professions in a cooperative manner for the good of the user and the benefit of the general public.
6. A psychologist shall respect the user's right to know what fees and charges are to be levied, shall set reasonable fees and collect these with consideration for the welfare of the user.
- 6.3 A psychologist must not knowingly submit a false or misleading account for services.
- 6.4 A psychologist must submit promptly an itemized account statement or receipt when requested by the user.
- 8.5 A psychologist shall not receive or confer a rebate or other benefit by reason of referral or transfer of a client from or to another person. ■

WRITTEN EXAMINATIONS

The Examination for Professional Practice in Psychology was administered on April 10, 1987 in Ottawa, Toronto and Windsor. The

Board appreciates the assistance of Jane E. Ledingham, Ph.D. and G. Ron Frisch, Ph.D. who served as proctors. ■

ORAL EXAMINATIONS

The oral examinations were held in Toronto on June 3, 4 and 5. Assisting the Board in conduct-

ing these examinations were the following psychologists:

HELEN ANNIS, PH.D., Head of Psychology, Clinical Institute, Addiction Research Foundation;

KATHLEEN BERG, PH.D., Psychologist, University Counselling Centre, University of Western Ontario;

PATRICIA DEFEUDIS, PH.D., Psychologist, Department of Psychology, Credit Valley Hospital;

GILLES DESMARAIS, PH.D., Psychologist, Ottawa Board of Education;

HENRY EDWARDS, PH.D., Dean, Faculty of Social Sciences, University of Ottawa;

PHILIP FIRESTONE, PH.D., Director, Child Study Centre, University of Ottawa;

MARGARET HOVANEC, PH.D., Psychologist, Consultant in Oncology, Sunnybrook Medical Centre; ■

LUCIA MANDZIUK, PH.D., Psychologist, Regional Children's Centre, Windsor;

WILLIAM MCDERMOTT, PH.D., Executive Director, The Child's Place, Windsor;

JOHN MCGRORY, PH.D., Chief, Department of Psychology, Windsor Western Hospital Centre;

WILLIAM MELNYK, PH.D., Professor, Department of Psychology, Lakehead University;

DAVID NOZICK, PH.D., Director, Division of Psychology, Ottawa Civic Hospital;

BRUCE QUARRINGTON, PH.D., Professor, Department of Psychology, Consultant, Counselling and Development Centre, York University;

LAURA RICE, PH.D., Professor (retired), Department of Psychology, York University;

TREVOR SMITH, PH.D., Consulting Psychologist, University Hospital, London. ■

SUPERVISION OF CANDIDATES FOR REGISTRATION

The Board wishes to thank psychologists who have generously provided their time to supervise and monitor the performance of candi-

dates admitted to the permanent register in November, 1986 and June, 1987. The Board takes pleasure in listing their names below:

Jack Albin

Robin Alter

Jeanette Amdur

John Armenia

Larry Arnold

Janice Baker

Howard Barbaree

Stephen Barker

William Barnes

Pierre Baron

William Barry

Edward Bassis

Glenn Bauberger

Lynne Beal

Eugene Beaumaster

Gerald Beckerle

John Berek

Michael Blacha

Carson Bock

Kenneth Breitman

Mary Broga

Harvey Brooker

Denton Buchanan

Carol Bullard-Bates

Stephen Buttrum

Elizabeth Calder

Paula Caplan

Raymond Cardey

Stephen Chris

Vaughan Church

Nancy Cohen

Barry Cook

Deborah Cooper

Ann Croll

Steven Cronshaw

Herman Crowe

Janice Currie-Jederman

Richard Dart

Paul Derry

Gilles Desmarais

Glenn DiPasquale

Neville Doxey

Ruth Droegge

Krystyna Dronsejko

James Dudeck

Jean Dumas

Margaret Durnford

Barbara Dydyk

William Eull

Mark Eveson

Joseph Ferencz

Gregor Finlayson

Stephen Fleming

Kenneth Foley

James Forde

Barbara Fradkin

Karen Galbraith

David Garner

Lorna Gendreau

Leonard Gignac

Gail Golden

Leonard Goldsmith

David Graham

Avrum Green

Catherine Grimes

Walter Hambley

Gregory Hamovitch

Arthur Hoddinott

Timothy Hogan

Frederick Horton

James Inglis

Jane Irvine

Paul Issacs

Maureen Joyce

Richard Kaley

Ronald Kaplan

Michael Kim

Doreen Kimura

Morrie Kleinplatz

Judy Kobrick

Marguerite Kuiack
Nedra Lander
James Lane
Ron Langevin
Terrence Laughlin
Glen Lawson
James Lawson
Larry Leach
Robert LeClerc
Peter Legate
Paul Lerner
Marsha Lomis
Samuel Luker
Robert MacIntyre
George MacKinnon
Jeanette McGlone
Ashton McKinnell
John McLachlan
Allan Mandel
Howard Marcovitch
Alan Marcus

George Matheson
Harold Miller
Beth Mitchell
Oleksander Mitzak
Bertha Mook
Charles Netley
Richard Neufeld
Charles Newstrom
Anne Nicholls
David Nozick
Mark Olioff
Mark Pancer
Marjorie Perkins
Sergio Piccinin
Susan Pisterman
Herbert Pollack
Nathan Pollock
John Platt
Xavier Plaus
Jeffrey Price
Manfred Pruesse

Bruce Quarrington
John Racinkas
Glenn Rampton
Martin Rappeport
Jaan Reitav
David Rennie
Martin Resnick
Reginald Reynolds
Barbara Richardson
Jeanne Ridgley
Warren Robinson
Judith Rodin
Richard Rogers
Jeremy Saffran
Ronald Samuda
Salek Sandberg
Sidney Saunders
Ken Scapinello
Brian Shaw
Ronald Skippon
Michael Spence

Fred Staples
Eugene Stasiak
Steven Stein
Carey Stevens
Nalini Stiemerling
David Streiner
James Sweeny
Paul Swingle
Sarah Usher
Paul Valliant
Muriel Vogel-Sprott
Howard Waiser
Paul Wang
Otto Weininger
David Weiss
Gary Weisz
Elizabeth Werth
Heather White
Bruce Whitehouse
Elizabeth Yates
Gerald Young

NEW TEMPORARY REGISTRANTS SINCE FEBRUARY, 1987

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Zdenek Cernovsky
Mary Crawford
Stephen Dukoff
David Duncan
Ann Dyer
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Mary Haber
Kathryn Hall
Karl Hanson
Carol Heusser
Kathleen Hofmans
Lynne Hollander
Hazel Ipp
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Cheryl Gibson
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Erica Gold
Kathryn Greenaway

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Knolly Hill
Robin Holloway
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John Kell
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The Bulletin is a publication of the Ontario Board of Examiners in Psychology.

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CORRECTION

The Board regrets that the name of DR. VALERIE JANE KNOX was omitted in error from the 1987 Directory of psychologists registered in Ontario. Dr. Knox is registered and in good standing. ■

THE BULLETIN

The Bulletin is published quarterly. Subscriptions for Ontario psychologists are included in their registration fee. Others may subscribe at \$10.00 per year, or \$2.50 per single issue. We will also attempt to satisfy requests for back issues of *The Bulletin* at the same price. ■