

bulletin

Ontario Board
of Examiners in
Psychology



Room N353, 252 Bloor Street West, Toronto, Ontario. M5S 1V5

(416) 961 8817

Vol.4, No.4, June 1979

SPRING EXAMINATIONS

In April the written Examination for Professional Practice in Psychology was held in Toronto, Ottawa, London, Halifax and Thunder Bay. The Board is grateful to Ms. Jane Grigg, Mrs. Joy Reddy, Mr. Gilles Chagnon, Dr. Gerald Stone, Mr. Victor Day and Dr. Hugh McLeod who served as proctors.

The Board was assisted in conducting the oral examination of candidates in May by the following psychologists:
Edward Bauman, Assoc. Professor, Dept. of Psychology, Lakehead University;
J. Carson Bock, Chief Psychologist, Workmen's Compensation Board; Martha G. Breidenbaugh, Professor, University of Waterloo, Dept of Psychology; Helen G. Brown, Child Development Service, Children's Hospital of Eastern Ontario; Harold O. Lobb, Chief Psychologist, CRPI, London; William L. Marshall, Assoc. Professor, Queen's University, Dept. of Psychology, Assist. Professor, Dept. of Psychiatry, Consultant, Canadian Penitentiaries; Anne E. Mellers, Clinical and Organizational Consultant, Independent Practice; Charles T. Netley, Chief Psychologist, Hospital for Sick Children, Assoc. Professor, University of Toronto; Charles N. Newstrom, Consultant, Rohrer, Hibler & Replogle; Arthur E. Wolfgarth, Director of Treatment, Chief Psychologist, Millbrook Correctional Centre.

PERMANENT REGISTRANTS

On June 1, 1979 the Board approved the admission of the following persons to the Permanent Register:

Harvey Anchel	Rolland Mallette
Garry Baker	Charles Marino
Rosemary Barnes	Mary Anne McCarty
Helen Best	Frank Pace
Thomas Blakely	Ruth Pike
Marek Celinski	Ken Scapinello
William Chernets	Jeffrey Sherman
Paul Davidson	Edward Staples
Robert De Vries	Barry Stein
Anthony Fellbaum	Leonard Stein
Howard Granville	Carey Stevens
Paul Harwood	Sarah Usher
Douglas Jackson	Howard Waiser
Barton Jessup	Paul Wang
Verner Knott	Ronald Warner
James Lane	Judith Wiener
Maureen Lovett	

TEMPORARY REGISTRANTS SINCE FEBRUARY 1979

James Belfrage	Jill Larkin
Gilles Boulais	Marie Maneckjee
David Chan	Joan McAndrew
Patricia Chartres	Colin Meredith
Stephen Chris	Beth Nicota
Bruce Connell	Michael Uriel
Patrick Croskerry	Paul Wang
William Cupchik	Peter West
Myran Francis	Melvin Wiener
Stephen Klaiman	

AMENDMENT TO REGULATION 698

A regulation to amend Regulation 698 of Revised Regulations of Ontario, 1970, made under The Psychologists Registration Act was filed on May 18, 1979 in the Office of the Registrar of Regulations as Ontario Regulation 328/79 and published in the *Ontario Gazette* on June 2, 1979. The amendments are printed below.

1.-(1) Subsection 1 of section 5 of Regulation 698 of Revised Regulations of Ontario, 1970 is revoked and the following substituted therefor:

(1) An applicant for a certificate of registration shall pay a fee of \$75.

(2) Subsection 3 of the said section 5 is revoked.

2. Subsections 2 and 3 of Section 6 of the said Regulation, as remade by section 1 of Ontario Regulation 357/77, are revoked and the following substituted therefor:

(2) A certificate of registration may be renewed by paying a renewal fee of \$150 before the certificate expires.

(3) Notwithstanding subsection 2, a holder of a certificate of registration who is residing outside of Ontario and is not rendering services in psychology in Ontario may renew his certificate of registration by paying an annual renewal fee of \$50 before the certificate expires.

3. Section 7 of the said Regulation, as remade by section 2 of Ontario Regulation 357/77, is revoked and the following substituted therefor:

7-(1) Where a certificate of registration expires and within two years after the expiration of the certificate the former holder of the certificate of registration, a new certificate shall be issued upon payment of a reinstatement fee of \$175.

(2) Notwithstanding subsection 1, a holder of a certificate of registration who is residing outside of Ontario and is not rendering services in psychology in Ontario, shall be

issued a new certificate under the conditions set out in subsection 1 upon payment of a reinstatement fee of \$75.

4. Subsection 2 of section 8 of the said Regulation, as remade by section 2 of Ontario Regulation 455/77, is revoked and the following substituted therefor:

The fee for an examination is \$200.

5. Form 2 of the said Regulation is revoked.

NOTE ON RENEWAL FEES

The above amendments to Regulation 698 are currently in force and psychologists who renewed at the old rate are reminded that any balance owing is now payable. It should also be noted that wallet cards will no longer be issued but psychologists requiring proof of current registration could consider using the receipts issued by the Board office.

COMMENT: THE BOARD'S ROLE AS ADVOCATE

This note is intended to clarify the role of the Board of Examiners as an advocate for the professional concerns of registered psychologists. It is prompted by communications from registered psychologists who, by the nature of what they say, assume that one of the functions of OBEP is to act as an advocate for registered psychologists.

OBEP is an administrative entity whose responsibilities and functions are defined by the Registration Act. The Act is a mutual benefit to the public and to psychologists to the extent that both gain by having standards of admission to the profession, and standards of practice after admission. The primary duties of the Board are to see that applicants do, in fact, meet the professional qualifications defined in the Act, and that registered psycho-

logists carry on their practices in a manner consistent with the standards implied in the Act. Because of its essentially administrative role, the Board cannot properly play the role of an advocate for the interests of registered psychologists, except insofar as these interests coincide with the spirit of the Registration Act. In this sense, the Board has a duty to express its views on action or proposals that would subvert the intent of the present Act. For example, it is presently preparing arguments against new Ministry of Education regulations that potentially could be interpreted in a way that would destroy the meaning of the title "psychologist".

On the subject of new legislation, the Board does not interpret its role so literally that it is opposed to any form of new legislation. It does believe, however, that it has a duty to ensure that any new legislation at the very least protects the benefits embodied in the present legislation, and preferably strengthens those benefits. But even here, the Board must limit itself to arguments based on its practical experience from years of administering the present legislation. It cannot, for example, act as a representative of the views of registered psychologists.

The Board, both as a body and as individual members, does listen to registered psychologists, and is sympathetic to their views. But registered psychologists must recognize the Board's practical and legal limitations in how far it can take the role of advocate.

Finally, almost all legally regulated professions include two bodies. One of these, like OBEP, is responsible for administering the profession's legislation. The other body is a fraternal professional organization, one of whose functions is to advocate and promote the interests of its members. Usually, the fraternal organization's membership is made up almost exclusively of people who are regulated by the administrative body. OBEP is aware that while regis-

tered psychologists are members of a variety of professional organizations, none of these organizations is made up exclusively of all the registered psychologists in Ontario. Nevertheless, this fact cannot be used as an argument for the Board to attempt to play by default the role of such an organization.

ROYAL COMMISSION OF INQUIRY INTO THE CONFIDENTIALITY OF HEALTH RECORDS IN ONTARIO

On May 29, 1979 the Board of Examiners presented a brief to the Commission examining the question of the confidentiality of health records in Ontario. In its submission the Board placed particular emphasis on the problems in protecting the privacy of the client faced by psychologists who are employees of organizations whose standards may differ from their own.

DISCIPLINARY HEARINGS

1. On November 22, 23, 24, 25 and December 2, 1978, the Ontario Board of Examiners in Psychology held a formal Hearing into charges of professional misconduct or conduct unbecoming a psychologist against Dr. Marvin Goodman. The charges alleged that, in his association with a corporation known as Executive Career Management, Inc. (hereinafter referred to as "ECM"), he failed to correct misrepresentations by ECM of the nature and extent of his professional association with the services offered by that company; he failed to safeguard the best interests of his clients with respect to the financial arrangements made by them with ECM; as a provider of psychological services as one member of a collaborative effort, he failed to participate in the development and implementation of the overall service plan and to provide for its periodic review and to supervise the work of non-professionals in the program; and that he permitted the misuse of his influence in the course of his participation in career planning conferences with consultants of ECM and clients of the company.

After evidence and argument, the Board found that the facts with respect to the first three charges had been made out and that Dr. Goodman was guilty of conduct unbecoming a psychologist, though not of professional misconduct. The fourth charge was dismissed.

The Board ordered a suspension of one month to begin on August 1, 1979. An appeal of the decision of the Board to the Divisional Court was served on March 5, 1979 (and presently operates as a stay of the Board's order, with the result that the ultimate outcome of this matter rests with the Court), but that appeal was abandoned on May 24, 1979 with the result that the decision of the Board in the matter is final.

2. On February 21, 1979 the Board held a formal Hearing into charges of professional misconduct against Mr. C. Allen Beech. The charges alleged that he knowingly allowed another individual to claim a supervisory relationship with him when such was not the case; he knowingly allowed this individual to misrepresent the relationship with himself so that benefits could be received from an insurance company; he, knowing the individual was not a psychologist, allowed him to provide purportedly psychological services to a client; he failed to adequately assume professional responsibility and accountability for the services provided the individual.

After evidence and argument, the Board found that the facts with respect to the last three charges had been made out and that Mr. Beech was guilty of professional misconduct. The first charge was dismissed.

The Board ordered a suspension of one week to begin on April 10, 1979.

3. On April 26, 1979, the Ontario Board of Examiners in Psychology heard charges of professional misconduct against

Dr. _____ who, acting as an expert witness, wrote reports, gave opinion, evidence and made diagnoses and recommendations in Court concerning a mother and her children without proper preparation and investigation.

It was alleged that these acts constituted professional misconduct under the common law and were in breach of Principle 1 of the *Ethical Standards of Psychologists* (1977 Revision).

The particulars of the allegations contained in the Notice of Hearing were presented by Counsel for the Board of Examiners in Psychology, and Counsel for Dr. _____ was in substantial agreement.

The Board of Examiners heard and accepted the plea of guilty to the charges set out in the Notice of Hearing. On agreement of both counsel, the Board issued a reprimand warning Dr. _____ of the inappropriateness of the actions. The Board concluded nevertheless that the matter was of a sufficiently serious nature to warrant publication of the facts of the case and the findings, but agreed to withhold the publication of the name.

COMPLAINTS AGAINST PSYCHOLOGISTS

Supervision at a Distance

From time to time it has been brought to the Board's attention that some psychologists offer psychological services, through the use of psychometrists or other assistants, not all of whom are adequately trained, and without the psychologists providing adequate supervision. In some instances, arrangements appear not to have been made for the psychologist to have any direct contact with the patient or family, and the "supervision at a distance" is accomplished through telephone calls and/or written correspondence with the psychometrist.

A complaint was received of one of these situations which, when investi-

gated by a Board member, produced satisfactory evidence that the psychologists involved had, themselves, recognized the system as unsatisfactory and had discontinued their arrangements. However, the Board draws to the attention of psychologists that such practices do not, in the Board's view, provide adequate psychological services or sufficient protection of the public.

Lack of Understanding of Service Goals

A significant proportion of complaints about psychologists arise because the psychologist did not ensure that the client understood the goals and likely outcomes of the service or treatment. Such complaints usually surface when the client finds that the service outcomes have fallen short of expectations, or the service has taken an unexpected twist.

In investigating cases like these, it usually turns out that there has been no serious misconduct by the psychologist insofar as the actual service or treatment is concerned. However, there is a common pattern of failing to discuss and understand the service goals in such a way that the client will have no big surprises coming.

It is perfectly usual and acceptable for a given presenting problem to lead ultimately to rather different goals than those originally envisaged. However, the process can be extremely frustrating for the client. Much of this frustration could be avoided by remembering to apply the follow rules:

1. Establish service goals and likely outcomes. If the client is unwilling or unable to set goals, concentrate on possible outcomes and their implications.
2. Periodically review progress.
3. When a new service or a different treatment appears to be appropriate, carefully review why the present service is not achieving its goals, and whether

or not the client should be referred to another practitioner.

On this third point, the psychologist who finds him or herself leading the client through a series of services and interventions is vulnerable to being accused of taking advantage of the client's pocketbook.

In summary, it is the Board's experience that failing to ensure that the client is well informed about service goals and outcomes is potentially a situation leading to a frustrated client.

For further reading on this topic, see "Rights of Clients, Responsibilities of Therapists" (by Rachel T. Hare-Mustin, *American Psychologist*, January 1979.3).