



PROGRESS REPORT ON LEGISLATION

Representatives of the Board met with Mr. Dennis Timbrell in January in order to check the acceptability to the Ministry of Health of some of the assumptions underlying the Board's draft proposal for legislation.

The Board outlined its proposal to change the name of the governing body from a "Board" to a "Society", and to introduce the principle of election of members to the Council of the Society by the profession. There was no suggestion that either of these proposals was unacceptable to the Minister at this stage. Mr. Timbrell also indicated the desirability of including a clause prohibiting the prescription of drugs by psychologists. He requested that the Board discuss with the College of Physicians and Surgeons and the Ontario Medical Association those changes in the Act that would be of interest to physicians.

Following its January meeting with Mr. Timbrell, the Board took steps to establish contact with the Honourable Larry Grossman, the new Minister of Health. A request for a meeting with Mr. Grossman will not be made until Regulations to accompany the draft Act have been prepared. The Board anticipates that this detailed work should be completed by mid April.

The Board also intends to circulate the latest draft of the Act and Regulations to psychologists and, as well, to organizations on a mailing list provided by the Minister's office.

Provided the response is favourable and no serious flaws in the draft emerge, the Board hopes that it, along with a summary brief, could be submitted to the government, with the ultimate goal being

presentation to the fall session of the legislature.

Dr. Ray Engel, the current Board chairman, in drafting the brief to accompany the Board's proposal to the government, sets out the Board's perception of the need for new legislation and a description of the content of the proposal within the context of the development, over the past sixty years, of psychology as a profession.

Two excerpts from the brief are reprinted below:

The Status of Psychology in Summary

As a basic science, psychology is well into its second century, and it is almost 50 years since scientific thinkers have raised questions about its validity and permanence as a science. Its concepts and methods are unique and reasonably well established and it is in little danger of being re-absorbed as part of some other discipline or disintegrating into components of other disciplines. In short, psychology has established the first requirement that a profession must have; an established and distinct body of fundamental knowledge.

Applied psychology is not in its second century, but is certainly past its diamond anniversary. It has shown rapid growth both in breadth of applications, and in numbers of practitioners. As a single discipline, it does not have a well established content, training, and standards of practice. The major established branches are: clinical psychology, educational psychology, and industrial psychology. Both within these three areas and outside of them, there are other specialities, and it remains to be seen which, if any, of them will emerge as distinct areas. In general,

applied psychology is a structure with a firm foundation and some well developed components, but also a structure that is still in a state of rapid change.

As a profession, psychology has just come out of its infancy. The profession has been fairly successful in maintaining standards of entry into the profession, and these standards are nearly universal in North America. The profession has also established standards of practice and codes of conduct. However, many of these standards have not been tested, either in the work place or in the professional and legal adjudication system. Nor have these standards and codes been integrated into the educational system for psychologists. In particular, and except perhaps for clinical psychology, developing a sense of professional responsibility is left pretty much to the year of post-doctoral supervised experience; and aside from that, it tends to be largely self-taught. Nevertheless, psychology in its first 20 or so years of professional experience has shown steady progress in the process of maturing, and in society's acceptance of it as a legitimate profession. The proposal for new legislation is intended to recognize this maturity, and to provide a vehicle for the next stage of development of the profession.

Why A Certification Act

Many psychologists, probably a majority, feel that a Psychologists' Act should contain a definition of practice. Proposals for a definition of practice usually contain references to the central concepts of psychology, and statements defining the practice of psychology as the application of these concepts to practical problems. The major difficulty with creating a definition is that it is almost impossible to create a definition that does not at least appear to infringe on the rights of others to give what amounts to psychological advice to their fellow human beings.

A possible way around this problem is to include a qualifying statement in the definition of practice to the effect

that the definition does not exclude anyone else from performing apparently similar activities. Again, it appears to be virtually impossible to create a qualifying statement that does not either render the definition of practice meaningless, or the qualifying statement itself meaningless. Moreover, non-psychologists who oppose a definition of practice respond to the qualifying statement by saying that it is merely a sentence in an Act that could easily be removed in an amendment to the Act, and therefore, it offers little protection. In the Board's judgement, it is simply not realistic to expect to see the passage of an Act that includes a definition of practice.

In addition to this one very practical reason for not including a definition of practice, the Board believes that there are arguments against a definition of practice that are much more compelling from the point of view of psychologists.

To begin with, psychology is a well established basic science with a set of similarly well established fields of practice. No one, particularly a court of law, would have any difficulty determining whether or not someone was practising psychology whether the someone was a psychologist or not. In other words, psychology is not some peculiar new technique that needs to be spelled out in law. It has a well established common knowledge definition.

A definition of practice also works two ways. It can be used to prevent a profession from practising certain things just the same as it can be used by the profession to prevent others from practising certain things. Professions with a definition of practice often find themselves denied access to new developments because the new developments did not fall precisely within their definition of practice. Psychology is at a stage where it would be particularly vulnerable to this happening, and this Board believes that it would be to the greater good to have legislation that would be a medium for the profession to intelligently explore new frontiers,

rather than legislation that defines restrictive borders. In fact, psychologists may soon start finding themselves fighting off having a definition of practice imposed on them, rather than the other way around.

This philosophy of course leaves psychologists in somewhat of a more open marketplace than many of them would like, and it does nothing to prevent non-psychologists from practising what amounts to bad psychology. As to the marketplace, the profession has seen steady progress in the acceptance of the C.Psych. as a requirement for many employment opportunities, and as a requirement for giving expert advice or opinion on various matters. And this has happened without psychologists doing anything substantial to promote a demand for the services of the profession.

As to protecting the public from bad psychology, the Board believes that a Certification Act reflects a more widely accepted philosophy that the public has a right to choose from among alternatives for professional services, and that when a psychologist is chosen it is because the psychologist represents known qualifications and standards of practice, and not because the psychologist has a monopoly on the market.

PRINCIPLE 5 - CONFIDENTIALITY

(APA Ethical Principles of Psychologists - 1981 Revision)

"Psychologists have a primary obligation to respect the confidentiality of information obtained from persons in the course of their work as psychologists. They reveal such information to others only with the consent of the person or the person's legal representative, except in those unusual circumstances in which not to do so would result in clear danger to the person or to others. Where appropriate, psychologists inform their clients of the legal limits of confidentiality."

The argument is sometimes used that psychologists should bend the law rather than jeopardize the sanctity of a therapeutic relationship. This slights established psychological knowledge as well as the Ethical Principles of Psychologists. An experienced therapist works with an open recognition of values and their importance as well as the realization of her/himself as a role model.

While psychologists can and do risk contempt of court by refusing to share information, when ordered to do so by a judge, such withholding cannot be rationalized automatically as being in the client/patient's best interest. Those working in the forensic field must consistently discuss their lack of privilege; however they will also be aware, and inform their clients, that they are not likely to be asked in court about everything shared, and that the questions asked are most likely to be limited to information bearing on the case at hand. It is hard to argue that a truly good relationship will be destroyed if it has been established in openness and truth. Such a relationship should allow for a full exploration of the type of material likely to be revealed by the psychologist when she/he comes to court.

Child abuse and threats of physical harm should be reported to appropriate authorities. It is understood that confessions or admissions are not always based in reality and would not be reported when there is a reasonable doubt. Discussion with colleagues can help to clarify the most reasonable course of action. Condoning or colluding with anti-social behavior (even if it is by ignoring it) cannot be considered as therapeutic or conducive to the development of a mature life style. An experienced therapist recognizes confessions and/or admissions of either serious anti-social behaviour, or intentions to such acts, as an opportunity to explore responsibility. A professional shares with his/her client/

patient his/her concerns, and discusses the course of action he/she will take. A psychologist who is acting responsibly recognizes that legal intervention can be approached in ways which will be of use to the client/patient as well as preserving the mores of society. While each case must be considered on an individual basis the principles involved are clear.

BOARD MAKES A MOVE

For nearly six years the Board has leased office space from the Ontario Institute for Studies in Education. This year the Board learned its space would be needed for expansion of the Institute's computer facility and began its search for a new home.

On Saturday, February 27 the Board moved its offices to 37 Prince Arthur Avenue, Toronto, Ontario, M5R 1B2. The telephone number remains the same: (416)961-8817. The new offices are on the second floor of a renovated house, only a few hundred feet from the old location, and still easily approached from the Bedford St. entrance to the St. George subway station.

The Board hopes to be able to continue to use Institute space for Board examinations. Although we will regret the loss of the assistance provided by the Plant office at OISE, the Board believes the move will assist it in establishing a separate identity.

ETHICAL STANDARDS OF PSYCHOLOGISTS

Owing to an error the 1982 Directory incorrectly announced the formal adoption by the Board of Examiners of the APA Ethical Principles of Psychologists. This is not the case: the Board continues its earlier formal adoption of the Ethical Standards of Psychologists (1977 Revision).

DAVID WECHSLER AND INTELLIGENCE TESTS

David Wechsler died last May at the age of 85. The December issue of the American Psychologist carried a tribute to Wechsler prepared by Joseph Matarazzo. In these days when school boards' efforts to implement Bill 82 are uppermost in the minds of psychologists working in school systems, Dr. Matarazzo's remarks are pertinent.

David Wechsler helped to provide clinical psychology with a tool (his scales) and with a humanistic philosophy toward the use of such tools (i.e. that assessment is not synonymous with testing). As a result, clinical psychologists working on a one-on-one basis in a variety of settings have provided a professional service which has been voluntarily sought out and appreciated by clients and patients throughout the world.

As to what intelligence tests measure, David Wechsler had little question. In his APA Distinguished Professional Contribution Award address, "Intelligence Defined and Undefined" (1975), he stated, "What we measure with tests is not what tests measure--not information, not spatial perception, not reasoning ability. These are only means to an end. What intelligence tests measure, what we hope they measure, is something much more important: the capacity of an individual to understand the world about him and his resourcefulness to cope with its challenges"(p.139).

STEPHEN NEIGER, 1924 - 1982

The Board has learned with regret of the death on February 26, 1982 of Dr. Stephen Neiger. For many years Dr. Neiger was Director of the Behaviour Therapy Clinic, Lakeshore Division of the Queen Street Mental Health Centre in Toronto.

BOARD RESPONSE TO QUESTIONS RELATING TO PRACTICE

In the six years since the Board of Examiners established a permanent office and achieved some visibility, psychologists and the public have begun to raise questions with the Board office concerning aspects of the practice of psychology. The frequency of these queries has increased from roughly three to approximately twelve per month. The Board has welcomed this exchange, hoping it has been helpful to psychologists, and finding that it has served to direct its attention to important professional issues, a number of which have subsequently been discussed in the Bulletin.

In the aftermath of the Royal Commission of Inquiry into the Confidentiality of Health Information in Ontario, it is perhaps not surprising that roughly one fourth of these questions have dealt with psychologists' concerns around handling client information: obtaining consent, releasing information to clients and others, maintaining confidentiality, limiting access to files, and maintaining records. A second group of questions was directed to the details of conducting a practice: billing, collecting, submitting insurance claims, forming partnerships, and making announcements. One troublesome matter has been the proper interpretation of the Business Corporations Act, as it precludes the incorporation of their practices by psychologists.

The Board received twenty-nine queries regarding psychological assistants; questions about appropriate titles and roles, use of tests, supervision, independent practice, hiring and salaries. Two thirds of these questions came from persons other than psychologists.

A small but significant number of the issues raised have dealt with professional relations, between psychologists and administrators, psychiatrists, or other psychologists.

AUDITORS' REPORT

The December 1981 issue of the Bulletin carried a portion of the report prepared by the Board's auditors, the firm of Spencer, Pal and Gould, for the year ending May 31, 1981. Space did not permit the reproduction of the full statement which is available at the Board office and may be studied upon request.

REGISTRATION AS A PSYCHOLOGIST IN NOVA SCOTIA

Individuals who wish to hold themselves out to the public [in Nova Scotia] by any title or description of services containing the word "psychology", "psychologist" or "psychological" or any abbreviation or derivative thereof are now obliged by law to be registered by the Nova Scotia Board of Examiners in Psychology.

Details of the requirements for registration can be had by requesting the Registrar of the Board for an application kit.

The address for all correspondence is:
Registrar
Nova Scotia Board of Examiners in Psychology
Post Office Box 3050, Halifax South
Post Office
Halifax, Nova Scotia B3J 3G6

ACCESS TO CLAIM FILES BY INJURED WORKERS

Following from recommendations contained in the Ontario government's "White Paper on the Workmen's Compensation Board" the Board will now provide access to claim records for the employee and his or her representative.

This provision appears to be no more than fair. However, it will place a further requirement on psychologists to ensure the accuracy, objectivity and validity of the statements made in reports they submit to the Compensation Board.

RENEWAL OF REGISTRATION

Fee renewal notices were mailed on March 22 and 23 to all psychologists registered in Ontario along with a copy of the 1982 Directory and a questionnaire.

Renewal fees should be forwarded to the Board office before May 31. Under the Regulation an additional fee of \$25.00 is payable on renewal fees post-marked later than May 31.

ANNUAL QUESTIONNAIRE

The Board urges all psychologists to complete the questionnaire. Summary information based on the responses to the questionnaire enables the Board to answer a variety of questions about the profession, such as the availability of psychological man/womanpower in various parts of Ontario. It has also enabled the Board to publish a list of psychologists able to provide services in languages other than English.

EXAMINATION FOR PROFESSIONAL PRACTICE IN PSYCHOLOGY

Temporary Registrants who have taken the written examination or plan to take it in the near future will wish to have some idea of the Board's approach to establishing a passing point for each form of the exam, an approach developed by Angoff (1971) and discussed as a judgmental method for establishing a criterion-referenced passing score.

Using this method each Board member reviews the examination; and for every item on the exam the Board member estimates the probability that a minimally acceptable candidate would respond correctly to the item. Each member's estimate of minimally acceptable performance is the sum of the estimated probabilities for each item. The sums arrived at by the Board members are averaged and the average becomes the passing point adopted for that particular form of the test.

The Board has agreed that this effort to use a rational method in establishing a passing point will be used only if the dispersion of the sums produced by the Board members is within a reasonably limited range.

Each candidate for the written examination will receive, usually within six weeks of the administration of the exam, a statement giving the passing point used by the Board, his or her own score, as well as the mean score and standard deviation on that form of the exam for all doctoral level candidates in Canada and the U.S.A. taking the exam for the first time.

The examination usually consists of 200 items and only total scores are given. Part scores, based on items dealing with similar content, are not computed because of the unreliability of interpretations placed on scores based on smaller numbers of items.

Angoff, W.H. Scales, norms, and equivalent scores. In R.L. Thorndike (Ed.) Educational Measurement. Washington, D.C.: American Council on Education, 1971, 514-515.

NEW TEMPORARY REGISTRANTS

Thomas Allaway	Barbara Mann
Edward Bassis	Augustine Meier
Irwin Butkowsky	Joseph Molino
Patricia Cleland	Casimiro Nepa
Catherine Colby	Denise Ford Nepa
Charles Cooley	Anke Oostendorp
Claude Della Zazzera	Kenneth Prkachin
Robert Flynn	Brian Regan
Reva Gerstein	Joseph Regan
Louis Gliksman	Teresa Sheehan
Robert Glueckauf	Douglas Smith
Brian Heisel	Anna Stuckler
Peter Liu	Edwin Weinstein
Judith Mack	Erik Woody