

## **COUNCIL MEETING**

**2009.01**

**March 27, 2009**

### **PRESENT:**

Dorothy Cotton, Ph.D., C.Psych. President  
Ivan McFarlane, Public Member, Vice-President  
Ian D.R. Brown, Ph.D., C.Psych.  
Christine DiZazzo, M.Ps., C.Psych. Assoc., ex-officio  
Mary Ann Evans, Ph.D., C.Psych.  
Robert Gauthier. M. Ed, C.Psych. Assoc.,  
Mustaq Khan, Ph.D., C.Psych.  
Jane Ledingham, Ph.D., C.Psych  
Lise Mercier, Ph.D., C.Psych.  
Milan Pomichalek, Ph.D., C.Psych.  
Dalia Slonim, Psy.D., C.Psych.  
Abena Buahene, Public member  
Mohammed Hossain, Public Member  
Vincent Lacroix, Public member  
Cheryl Rampersad, Public Member

### **Regrets:**

Adrienne Perry, Ph.D., C.Psych.

### **Staff:**

Catherine Yarrow, MBA, Ph.D., C.Psych.,  
Registrar & Executive Director  
Rick Morris, Ph.D., C.Psych,  
Deputy Registrar & Director: Professional Affairs  
Connie Learn, Director: Registration & Administration  
Barry Gang, Dip.C.S., C.Psych. Assoc.,  
Director: Investigations & Hearings  
Prema Shankaran, Assistant to Registrar: Recorder

**2009.01.00**

### **Call to Order**

The President called the Council meeting to order at 9:01 A.M and welcomed public member Mr Mohammed Hossain to the Council meeting.

**2009.01.01**

### **Approval of the agenda:**

.01a The following item was moved from the Consent agenda  
2009.01.02c(3) Client Relations Committee to the Business agenda  
2009.01.05f

**It was MOVED Lacroix  
That the agenda be approved as amended.**

**CARRIED**

- .01b Approval of the Minutes  
(1) Minutes of the Open meeting at the Council meeting 2008.05 on December 12, 2008

**It was MOVED Mercier  
That the Minutes of the Open meeting at the Council meeting  
2008.05 on December 12, 2008 be approved as presented.**

**CARRIED**

Business arising from Minutes:

Line 231 Bill 97; An Act to increase access to qualified health professionals for all Ontarians by amending the *Regulated Health Professions Act, 1991* (RHPA)

Responding to a question regarding Bill 97, the Registrar commented that if the Council wished to receive further information on Bill 97, it could be placed on the agenda at a future Council meeting.

(b) The Council noted that there were no **IN CAMERA** items on the agenda at the Council meeting on **December 12, 2008**.

**2009.01.02 Approval of the Consent Agenda Items  
It was MOVED Slonim  
That the Consent agenda items be approved.**

**CARRIED**

**2009.01.03 Strategic Issues**

- .03a There were no Strategic issues on the agenda at the Council meeting 2009.01 on March 27, 2009.

**2009.01.04 Policy issues**

- 04a Mobility issues: Update  
The Registrar provided to the Council an update on the status of the amendments to the Agreement on Internal Trade (AIT) and upcoming deadline dates.

Representatives from the federal, provincial and territorial Governments approved the AIT amendments. The text of the approved AIT amendments has not been released. The implementation deadline is likely to be August 2009. The Ministry of Training Colleges and Universities (MTCU) invited the Colleges to submit by Feb 3, 2009 proposals, if needed, for

exception to Labour Mobility under the AIT for the purpose of meeting a legitimate objective. The MTCU is the lead ministry on the AIT negotiations and implementation and will be reviewing all submissions and make a recommendation to the Government. It is likely that the list will be fairly small.

The Registrar and the Deputy Registrar met with Mr Stephen Cheng, Acting Manager and Ms Sheila McAllister, Senior Policy Analyst at the Regulatory Programs Unit, Health Human Resources Strategy Division and the Legal Counsel at the Ministry of Health and Long-Term Care (MOHLTC) to discuss professional mobility issues.

The Council received a copy of the letter sent from the College to the Ministry of Training Colleges and Universities (MTCU) submitting the proposal to treat the Jurisprudence and Ethics Examination (JEE) as an exception under the AIT. The College has not received an official response from the MTCU to the submission. The Registrar will follow-up with Mr Stephen Cheng to enquire if there is any update on the College's request.

**Action item CY**                    **to contact Mr Stephen Cheng , MOHLTC, to inquire about updates to the AIT negotiations**

- .04b    *HPRAC Report entitled "Critical Links : Transforming and Supporting Patient Care: A Report to the Minister of Health and Long-Term Care on Mechanisms to Facilitate and Support Interprofessional Collaboration and a New Framework for the Prescribing and Use of Drugs by Non-Physician Regulated Health Profession"*

The MOHLTC released the HPRAC report on Feb 2, 2009 and invited the Colleges to respond by February 28, 2009. The Council received a copy of the College Submission to the Ministry of Health and Long Term Care (MOHLTC) dated February 27, 2009. The submission focused on specific issues in the report that are relevant to the College. The Registrar and the Deputy Registrar received advice from legal Counsel on the submission.

The Registrar, in her capacity as the President of the Federation of Health Regulatory Colleges of Ontario (FHRCO, met with Dr Josh Tepper, Assistant Deputy Minister, MOHLTC to present the views of the Federation Colleges on the new agency proposed by Health Profession Regulatory Advisory Council (HPRAC) to facilitate and support Interprofesional Collaboration. The FHRCO did not make a submission to MOHLTC but developed 5 key messages that the Registrar communicated to Ministry representatives.

The Registrar commented that the Ministry response may be received by the time of the Council meeting in June 2009. The Registrar asked if the Council wished to identify a Quick Response Team consisting of members of Council to deal with any developments prior to the Council meeting. The Council agreed to have the Executive Committee respond to any developments from the Ministry or HPRAC instead of creating a Quick Response Team.

.04c Proposed Amendments regarding Inquiries, Complaints and Reports Committee (ICRC)

In June 2009, amendments to the Regulated Health Professions Act, 1991 (RHPA) will be proclaimed which will change the name of the Complaints Committee to Inquiries, Complaints and Reports Committee (ICRC). All references to Complaints Committee in the College's By Laws and Policies will need to be amended to reflect the change prior to that date.

(1) By Law 21: Committee Composition and By Law 25: The Register and Related matters

**It was MOVED Slonim**

**That Bylaw 21: Committee Composition be amended effective June 4, 2009 such that section 21.3 is repealed and the following substituted:**

**21.3. The Inquiries, Complaints and Reports Committee shall be composed of:**

- (a) at least two members of the Council who are members of the College;**
- (b) at least three members of the Council appointed to the Council by the Lieutenant Governor in Council; and**
- (c) at least two members of the College who are not members of the Council.**
- (d) a member of a panel who would otherwise cease to be a member of the Inquiries, Complaints and Reports Committee after an investigation of a matter has been commenced by the panel shall continue, for the purposes of concluding that matter, to remain a member of that panel and of the committee until the final disposition of the matter by the committee.**

**CARRIED**

**It was MOVED Slonim**

**That Bylaw 25: The Register and Related Matters be amended effective June 4, 2009 such that the first line of section 25.3.20 is repealed and the following substituted:**

**25.3.20 If the member has been required to attend before the Inquiries, Complaints and Reports Committee to be cautioned, a notation of that fact .....**

**CARRIED**

(2) Policies II-3(i) and II-3(ii) and III F-4

**It was MOVED Slonim**

**That, effective June 4, 2009, all references to the “Complaints Committee” be replaced by “Inquiries, Complaints and Reports Committee” within the following policies: *Complaints Committee: Terms of Reference/Role; Release of the Member’s Response to the Complainant; Per Diems and Council and Committee Compensation; and Authority to Speak on Behalf of the College.***

**CARRIED**

.04d Policy on Employee Compensation: Proposed clarifying amendments

The Council received a copy of the proposed amendments to the sections Policy III P - 1 on Employee Compensation dealing with Sick leave and parking.

**It was MOVED McFarlane**

**That the proposed amendments to Policy III P - 1 on Employee Compensation be approved.**

**CARRIED**

The Council noted that the College does not have coverage for Short term disability and directed that the Registrar investigate the possibility of providing Short Term Disability to employees.

**Action item CY Investigate Short Term Disability for employees**

.04e Proposed amendments to Quality Assurance Regulation  
The Council received a copy of the proposed amendments to Quality Assurance Regulation. In July 2006, the College had submitted an amendment to the Quality Assurance Regulation to the Ministry of Health and Long-Term Care (MOHLTC) and withdrew it at the request of the Ministry pending changes to the RHPA.

The present amendments to the Quality Assurance Regulation include the changes that are required by the amendments to the RHPA. In the preparation of the current draft, the College reviewed the RHPA amendments and the amended regulations being proposed by some other Colleges. Upon Council approval, the amended regulations will be circulated to stakeholders for consultation and brought back to the Council meeting in June 2009 for approval and then submitted to the MOHLTC.

**It was MOVED Pomichalek  
That the proposed amendments to the Quality Assurance  
Regulation be approved for circulation to the stakeholders for  
consultation and brought back to the Council meeting in June  
2009 for approval to submit to the Ministry of Health and Long-  
Term Care (MOHLTC).**

**CARRIED**

- .04f Review and approval of By-Laws  
The Deputy Registrar provided to the Council the final draft of the College's By-laws for approval. At their meeting in December 2008, the Council had directed that By-law 25: The Register and Related matters, and By-Law 18: Fees and By-Law 23; Professional Corporation be circulated to the membership for consultation. The Deputy Registrar reported that the By-Laws were circulated to the membership and no comments were received in response.

**It was MOVED Mercier  
That the Bylaws be approved as amended.**

**CARRIED**

The approved By Laws will be posted on the college website and a copy of the bylaws will be sent to the Minister of Health and Long-Term Care (MOHLTC).

The Registrar will convey the Council's appreciation to members of the Policy and By-Law Taskforce which included the Registrar, the Deputy Registrar and public member Mr Vincent Lacroix and Dr Maggie Gibson and public member Susan Nicholson who have now completed their terms on Council.

**Action item CY to convey the Council's appreciation to members of the Policy and By-Law Taskforce**

Responding to a comment regarding the timeline for review of By Laws, the President requested the Deputy Registrar to make a recommendation to the Council meeting in June 2009 regarding a review schedule.

**Action Item RM to make a recommendation to the Council meeting in June 2009 regarding a schedule for review of By-Laws.**

- .04g "Doctor" Title in the profession of Psychology  
The Council received a memo from the Registrar regarding a revision that may be required to the College's current Standards of Professional Conduct to clarify the use of the title "Doctor".

In the previous version of the Standards, there was a provision which indicated that "where the member has been registered as a

Psychologist on the basis of a doctoral degree, the prefix Doctor or its abbreviation Dr. may be used". In the current Standards which is the version revised in 2005, there is no mention of the title "Doctor". The RHPA permits members of the College of Psychologists of Ontario to use the title "Doctor" in the course of providing health services. The Registrar suggested that this is an area of the Standards that needs to be clarified so that the College may properly advise members and so that the College may refer to an explicit standard to adjudicate complaints about use of the title.

**It was MOVED Brown**

**That the Standards of Professional Conduct, 2005 section 6.2 be amended by the addition of a new subsection (d) and that the current subsection and those following be renumbered. The new subsection (d) will read:**

**Only where a member has been registered as a Psychologist on the basis of a doctoral degree, may the member use the title "Doctor" or a variation, abbreviation or equivalent in another language in the course of providing or offering to provide, psychological services.**

**CARRIED**

- .04h Proposed Standard for Accessible Information and Communication from Ministry of Community and Social Services (MCSS)  
The Council received a copy of the Initial proposed Standard for Accessible Information and Communication developed by the Accessible Information and Communication Standards Development Committee established by the Ontario Government under the Accessibility for Ontarians with Disabilities Act (AODA 2005). Regulatory bodies are required to provide training to their members in meeting the needs for accessible information and communication for people with disabilities.

The document lists classes of organizations and compliance deadlines for various classes. The Registrar commented that the College falls under Class 1 with a compliance deadline of December 31, 2013. The FHRCO is also reviewing the document.

The Registrar will bring a proposal to the Council regarding the steps that the College needs to take to be compliant with the new Standard and budgetary implications, if any. The Council recommended that the Client Relations Committee be involved in reviewing the proposed standard from the MCSS.

**2009.01.05**

**Business issues**

.05a Reports from Committees and Taskforces

(1) Registration Committee:

The Council received the report on the activities of the Registration Committee from Dec 2008 to March 2009.

(1a) Committee activities from December 2008 to March 2009

The Council noted that the Registration Committee has deferred making a decision on the request from the National Register that the College modify section b (2) of the Guidelines for Interim Autonomous Practice to state that the applicants hold a current certificate of Professional Qualification in Psychology (CPQ) or hold a current National Register of Health Service Providers in Psychology Credential until after the implications of amendments to the AIT are known.

The Registrar will respond to Judy Hall, Executive Officer of the National Register to inform her of the College's decision not to make any amendments to Registration Guidelines at this time pending outcome of AIT amendments.

**Action item CY**

**to respond to Judy Hall, Executive Officer of the National Register to inform her of the College's decision not to make any amendments to Registration Guidelines at this time pending outcome of AIT amendments**

The Council also noted that Health Professions Appeal and Review Board (HPARB) upheld one of the Registration Committee's decisions in which academic credentials were the subject of the appeal.

**It was Moved Evans**

**That the report on the Registration Committee activities from December 2008 to March 2009 be received.**

**CARRIED**

(2) Report from the Supervision Working Group 2008-2009  
Supervision Resource Manual - Second edition

The Supervision Working Group provided to the Council a report on the activities of the Working Group during 2008-2009 and the Second edition of the Supervision Resource Manual in which additional chapters have been added. The Manual has been well received as a resource for Supervisors. The Council expressed their appreciation for members of the Supervision Working Group.

It was suggested that creating a DVD or Video tape of a Supervision Workshop may be a good resource. In May 2009,



Dr Adrienne Perry will be hosting a Supervision workshop at York and she may be consulted to see if she would permit the workshop to be taped.

(2) Complaints Committee activities from December 2008 to March 2009

**It was Moved Slonim  
That the report on the Complaints Committee activities from  
December 2008 to March 2009 be received.**

**CARRIED**

.05b Financial Reports

(1) Variance Report to November 30, 2008

The Registrar provided to the Council the Variance Report to November 30, 2008 and reviewed the items that are projected to exceed the budgeted amount by more than \$1,000.

The Council discussed the proposed blended tax that will come into effect in 2010. It will not impact the budget this year. The Registrar will consult with the Accountant regarding the effect of the blended tax on the College.

The Registrar commented that the Investment income is lower as compared to previous year. A budget surplus is projected at the end of the fiscal year 2008-2009.

**It was MOVED Buahene  
That the Variance Report to November 30, 2008 be received.**

**CARRIED**

(2) Draft budget 2009-2010

The Registrar provided the Draft Budget for 2009-2010 to Council and commented that this is a Balanced budget. Before presenting to Council, this budget was reviewed by the Finance and Audit Committee and the Executive Committee. The budget includes the cost of providing On Line Journal subscription to members, and an allocation of \$10,000 for the translation of key documents on the website into French. The expenses for Web site development are budgeted as a Capital expense.

**It was Moved Lacroix  
That the Budget for 2009-12010 be approved as presented.**

**CARRIED**

a) Salary Range- Proposed QA Coordinator: **IN CAMERA**  
This item was discussed **IN CAMERA** in the absence of the recorder. The minutes for this agenda item will be provided by the Registrar.

.05c Registrar's Performance Review : **IN CAMERA**  
This item was discussed **IN CAMERA** in the absence of the Registrar and the recorder. The minutes for this agenda item will be provided by the President.

.05d Elections to Executive Committee: Timelines  
The Council noted the timelines for the Elections to Executive Committee to be held at the Council meeting on June 19, 2009.

.05e Office of the Fairness Commissioner:  
(1) Fair Registration Practices Audit: Appointment of Auditor  
The Council received the information about the Fair Registration Practices Audit that the Office of the Fairness Commissioner requires all Colleges to complete this year. The College has chosen the firm of Clarke Henning from the list of audit firms proposed by the Office of the Fairness Commissioner. The Council noted that the same firm also carries out the Annual Financial audit for the College. The firm has assured the College that they have separate staffing teams to carry out the two audits. The Council directed that the firm of Clarke Henning be appointed as auditors for conducting the Fair Registration Practices Audit after ensuring that they have the supporting internal resources to maintain the records for financial audit separate from the Fair Registration Practices Audit.

**It was MOVED Buahene**

**That the auditing firm of Clarke Henning be appointed as auditors to conduct the Audit of Registration Practices for the College after satisfactory resolution of the concern that they have the safeguards and internal resources to ensure separation of the Financial and Registration practices audits.**

**CARRIED**

**Action item CY**

**to ask Clarke Henning to confirm that they have the supporting internal and staffing resources to keep the records for financial audit separate from the Fair Registration Practices Audit.**

(2) Communication respecting proposed Survey  
The Office of the Fairness Commissioner (OFC) informed the College that they had commissioned a research firm to conduct a survey of the previous 3 years of applicants at the College to compare the experiences of international and domestically trained applicants with respect to registration practices. Several of the Federation College had concerns regarding the phrasing of some of

the questions and that that the methodology to be used in the survey may create a biased sampling. The Colleges consulted with each other and the consultant representing the research firm regarding their concerns. A letter was sent to the OFC signed by 20 of the Federation Colleges about their concerns regarding the phrasing of the questions, the proposed manner in which the data would be analyzed and also that the survey did not fall within the statutory obligations of the Colleges.

The Colleges received a response from the OFC on February 27, 2009 stating that the OFC has the authority to conduct the survey and that they would be proceeding with the survey. One day later, on February 28, 2009, this e-mail communication was withdrawn by the OFC in a subsequent e-mail. There has been no further communication from the OFC as to whether they will be going forward with the survey.

The Council received a copy of the correspondence between the OFC and the Colleges.

(3) Fair Registration Practices: Annual Report 2008 submitted February 2009

The Council received a copy of the Fair Registration Practices: Annual Report 2008 submitted by the College to the Office of the Fairness Commissioner. The Registrar commented that the College has a statutory obligation to submit an Annual Report following a format that is specified by the Office of the Fairness Commissioner. The Council noted that the producing the Annual Report involved a lot of additional work and that the College had to have additional staff in order to meet the work load. The Council thanked the Director: Registration & Administration for the additional efforts involved in producing the Annual Report.

**It was MOVED Evans  
That the Fair Registration Practices: Annual Report 2008 be received.**

**CARRIED**

- .05f Client Relations Committee - moved from 2009.01.02c(3)  
This agenda item was moved from the consent agenda for further discussion.  
In June 2008, the Council was provided a copy of the report on the Patient Relations Program released by the Health Profession Regulatory Advisory Council (HPRAC). HPRAC recommends that all Client Relations Committees must include measures to deal with sexual abuse of patients by health practitioners.

The Chair of the Client Relations Committee commented that the major recommendations in the report are under three categories: Governance, Information for the public and information for members. Each College must have programs for each category and policies to provide to members to assist them. The programs may include raising the public awareness through television or print advertising. HPRAC will work with the Colleges to assess the programs and the progress in meeting goals.

The Council agreed that it is important to raise the awareness of the public with respect to the profession because there is still a lot of confusion with regard to the services provided by members

The Client Relations Committee will review the College's obligations and the new objects of the College under the RHPA amendments which will come into effect in June 2009. The Committee will also review the Strategic plan and current communication with members and provide a report to the Council on further action.

**Action Item**                      **Client Relations Committee**  
**To review the HPRAC report and provide a report to the Council on further action**

**2009.01.06**                      **Other Business**  
.06a      Dates for Council meetings in 2009

The Council confirmed the following dates for Council meetings in 2009:  
Friday June 19, 2009  
Friday September 25, 2009  
Friday December 11, 2009

**2009.01.07**                      **Adjournment**  
There being no further business

**It was MOVED Brown**  
**That the Council meeting be adjourned.**

**CARRIED**

The Council meeting was adjourned at 2:00PM.

---

President

---

Vice-President

Minutes approved at the Council meeting on June 19, 2009