

**COUNCIL MEETING**  
**2013.02**  
**March 22, 2013**

**PRESENT:**

Milan Pomichalek, Ph.D., C.Psych., President  
Robert Gauthier, M. Ed., C.Psych.Assoc., Vice-President  
Ruth Berman, Ph.D., C.Psych.  
Peter Farvolden, Ph.D., C.Psych.  
Abby Goldstein, Ph.D., C.Psych  
Allyson Harrison, Ph.D., C.Psych  
Mustaq Khan, Ph.D., C.Psych.  
Jane Ledingham, Ph.D., C.Psych  
Lise Mercier, Ph.D., C.Psych.  
Glenn Webster, M.Ed., C.Psych. Assoc.  
Judy Cohen, Public Member  
Vincent Lacroix, Public Member  
Ivan McFarlane, Public Member  
Peter McKegney, Public Member  
Ethel Teitelbaum, Public Member

**Staff:**

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

**2013.02.00**

**Call to Order**

The President called the meeting to order at 9:02AM.

**2013.02.01**

**Approval of the agenda:**

The following changes were made to the agenda:

Moved:

.02b(2) Government Relations Report to .05g

Added:

.04g ABA Advisory Committee

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

**CARRIED**

.01b Minutes:  
(1) Minutes of Open meeting of Council 2012.05 on December 14, 2012

**It was MOVED McFarlane  
That the minutes of the Open meeting of Council 2012.05 on December 21, 2012 be approved with the correction of the following typo on line 492 – change “opal” to “oral”.**

**CARRIED**

Action List Status Report

The Council reviewed the Action List and noted the following:  
The advice to members regarding reporting of offences will be included in the next e-bulletin.

(2) Minutes of the **IN CAMERA** meeting at the Council Meeting 2012.05 on December 14, 2012

**It was MOVED Harrison  
That the minutes from the IN CAMERA meeting at the Council meeting 2012.05 on December 14, 2012 be approved as presented.**

**CARRIED**

**2013.02.02 Consent Agenda items**

**It was MOVED Ledingham  
That the Consent agenda items be approved.**

**CARRIED**

**2013.02.03**

**Strategic Issues**  
.03a Public Education Initiative  
The Registrar informed the Council that the Staff developed an advertisement which was placed in the on-line version of major newspapers in Ontario during February 2013 - Psychology Month. On-line advertisement was cheaper and provided wider coverage than the print version. In Ottawa, the French language version of the advertisement was placed in *Le Droit*.

The Globe and Mail provided a report on how many times the ad was viewed.

**2013.02.04**

**Policy issues**

- .04a Report from the Task Force on Shaping the Future of Psychology in Ontario

The Council received a report from the Task Force on Shaping the Future of Psychology Regulation in Ontario. The Chair of the Task Force reported that since the Council meeting in December 2012, the Task Force had met by teleconference on January 23 and had a one day meeting on March 1, 2013.

The Task Force analyzed the data gathered and after extensive discussions and keeping in mind the mission, vision and strategic direction of the College and the mandate of the task force arrived at two options for the future of masters level registration which they presented to the Council.

The Council discussed both options.

**1) Change to limited master's level registration and grandparent Psychological Associates**

- a. Discontinue accepting master's level applications for registration as a Psychological Associate as of a fixed date
- b. Establish a limited class of master's level registration for new applicants
- c. Register all Psychological Associates as Psychologists on a fixed date, or within a fixed time period.

This option would address the inequity perceived by Psychological Associates that under the Agreement on Internal Trade (AIT) Masters level Psychologists from other Canadian jurisdictions are being registered in Ontario as Psychologists. As of a fixed date (to be determined), all current Psychological Associates would be registered as Psychologists.

It would address the Ministry concerns about having sufficient number of service providers in settings where masters level providers currently work, such as the school boards. It would also address the ministry comment that a class of registration has never been closed previously.

1b. Establish a limited class of masters level registration.

Discussion:

What is a restricted or limited class of registration??

The Task Force discussed registering new master's level applicants specifically to practice in the area of school psychology, but with no restriction on practice settings. This would apply to internationally trained applicants whose qualifications were evaluated as equivalent to a Canadian masters degree in psychology.

Masters applicants registered as psychologists in other Canadian jurisdictions would not be restricted. This would be seen as an inequity towards masters level registrants in the limited class.

Members of the public do not understand the differences among the various classes of registration.

**2) Discontinue master's level registration, grandparent Psychological Associates as Psychologists and develop a mechanism for evaluating internationally trained applicants**

- a. Cease to accept master's level applications as of a set date
- b. Register all Psychological Associates as Psychologists on a fixed date, or within a fixed time period.
- c. Develop a mechanism for evaluating internationally trained applicants' competencies for substantial similarity to a CPA accredited program and remediation as needed, regardless of whether they have obtained a master's degree or a doctoral degree.

This option would also address the inequity perceived by Psychological Associates that Masters level Psychologists from other Canadian jurisdictions are being registered in Ontario as Psychologists. As of a fixed date (to be determined), all current Psychological Associates would be registered as Psychologists.

Addressing the comment that there are not enough Graduate training programs and that there is a shortage of internship programs to provide all the necessary number of psychologists, the Chair responded that during the long period of several years before closure of masters level registration, new training programs may be developed that would fill the need.

There is no incentive for the universities to provide more Psy.D. programs in School Psychology because universities have not been

made aware of the need for those programs. Masters programs do not provide training required for clinical practice. Training programs believe that Ph.D. training is necessary for clinical practice.

Universities may not wish to increase the number of Psy.D. programs because they do not have a research component and universities fund Ph.D. programs that bring in research grants.

Internationally trained applicants:

Under Option 1, internationally trained applicants whose training is evaluated as equivalent to a Masters would be restricted to working in school psychology whether or not they were trained in that area.

The Council agreed that it is important to recognize that the evolving standard in North America for Entry to Practice is the Doctoral degree. It is important to come up with a proposal that ensures public protection, takes into account the educational opportunities and meets the needs of the community.

Should the College present a proposal that includes closing masters level registration?

The Council noted that in December 2011, when Council approved a proposal to close masters level registration, both the Ministry of Health and Long-Term Care (MOHLTC) and Office of the Fairness Commissioner (OFC) concerns, had expressed concern about closing a class of registration.

**It was MOVED McKegney  
That Council adopt Option 2:  
Discontinue master's level registration, grandparent  
Psychological Associates as Psychologists and develop a  
mechanism for evaluating internationally trained applicants**

- a. Cease to accept master's level applications as of a set date
- b. Register all Psychological Associates as Psychologists on a fixed date, or within a fixed time period.
- c. Develop a mechanism for evaluating internationally trained applicants' competencies for substantial similarity to a CPA accredited program and remediation as needed, regardless of whether they have obtained a master's degree or a doctoral degree.

**as presented in the report from the Task Force on Shaping the Future of Psychology Regulation in Ontario.**

**CARRIED**

The Council directed that the details for implementation of Option 2 be developed including registration of Psychological Associates as Psychologists to be effective at proclamation of the regulation, setting a date for discontinuing Masters level registration and a mechanism for evaluation of applications from internationally trained candidates and brought to the Council meeting in June 2013.

**Action Item Staff**                    **to develop details for implementation of Option 2 for the Council meeting on June 21, 2013 as presented in the report form the Task Force on Shaping the Future of Psychology Regulation in Ontario**

The Council noted that this concluded the work of the Task Force on Shaping the Future of Psychology Regulation in Ontario and thanked the Task Force for all the work that has been done. The Chair of the Task Force thanked the Staff and the Registrar for all the help that was received by the Task Force.

.04b Regulations Submissions Update

The Registrar was informed by the Policy Analyst at the Ministry of Health and Long-Term Care that the legislative drafter who was working with the College's Registration Regulation was away and that the Ministry would communicate with the College in a few weeks regarding the status of the Registration Regulation.

The Quality Assurance regulation is being reviewed by the team of legislative drafters at the Ministry of Health and Long-Term Care.

.04c New Controlled Act of Psychotherapy: Delegation and Supervision

The Council continued discussion of the pros and cons of delegation of the Controlled Act of Psychotherapy.

The Council noted that the Client Relations Committee report had a very good summary of the issues related to delegation. The report did not make any recommendations to Council. The other health regulatory colleges whose members are authorized to use the title "Psychotherapist" are considering not permitting delegation of the Controlled Act. It is possible that if the Colleges do not permit delegation, people providing the service may refer to themselves with some other similar designation and continue to provide psychotherapy services

The Client Relations Committee will continue to discuss the issue at their next meeting.

- .04d Proposed amendments to By Law 20: Elections to Council  
Criteria for Academic appointments to Council – For approval

The Council had reviewed the proposed amendments to By Law 20: Elections to Council regarding the criteria for Academic appointments to Council at the meeting in December 2012.

**It was MOVED Mercier**

**That Bylaw 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification be amended as follows:**

**That subsection 20.4(2) be amended to read:**

**The number of members to be appointed to District 8 (Academic) is two or three.**

**That the current provision in Section 20.5 be numbered (1) and a new subsection (2) be added to Section 20.5 so that the section reads:**

**(1) The term of office of a member elected to the Council is three years.**

**(2) Notwithstanding subsection (1), the term of office of a member appointed to Council for District 8 (Academic) is two years.**

**That subsection 20.8 (1) be amended by the addition of a new paragraph (c) to read:**

**(c) Despite paragraph (a), at any given time, one of the members appointed to the Council may,**

**i. Hold an adjunct appointment in a faculty of a department of psychology of a university in Ontario granting graduate level degrees in psychology; or**

**ii. Have retired within the previous two years and been designated an Emeritus or Emerita member of the faculty of a department of psychology of a university in Ontario granting graduate level degrees in psychology.**

**CARRIED**

- .04e Proposed amendment to By-Law 25: The Register and Related Matters

(1) Proposed amendments to make Registration Number public Information

The Council received information from the Registrar regarding a request from eHealth Ontario to make Registration numbers public information. eHealth Ontario is funded by the Government of Ontario to develop an electronic health record system which will allow health practitioners and patients to securely share information electronically. The College has been working with eHealth to develop the provider registry which will be based on data provided by the health regulatory colleges. The provider registry will use the individual registration number as the unique identifier to provide access to the database.

A number of health regulatory colleges are providing Registration numbers as public information. At this time the College does not provide the Registration number on the Public Register. To make an exception for the College would be an expensive project for eHealth Ontario. In order for college members to participate in the Provider Registry, amendments are needed to By-Law 25: The Register and Related matters.

The Council reviewed the proposed amendments and considered whether they should be approved for circulation to the membership or the College should seek legal advice regarding the proposed amendments.

The Council directed that the College seek legal advice and bring the proposed amendments to the Council meeting in June 2013 for approval to circulate to the membership.

**Action Item Staff**

**to seek legal advice regarding proposed amendments to By-Law 25: The Register and Related matters and provide the legal advice and the proposed amendments to the Council meeting in June 2013**

(2) Media Interest in cautions

The Registrar informed the Council that three articles were published in the Toronto Star in January 2013. The articles urged that the Minister, Health and Long-Term Care should direct the Colleges to make public the cautions issued to members by the Investigations, Complaints and Reports Committee (ICRC). The Colleges were asked to provide data on the number of cautions issued between 2007 and 2011 and this information was published in one of the articles.

The Registrar provided to the Council copies of her correspondence with the Toronto Star reporter and excerpts from the *Regulated Health Professions Act (RHPA)* on Access to Public Information.



The Minister did not direct that the Colleges should make cautions public but stated that the Colleges have the authority to make amendments to their By-Laws to do so. At this time College does not make cautions public.

It is the opinion of the College's legal Counsel that cautions are used as a remedial tool and making cautions public could diminish their usefulness as a remedial tool.

The Council directed that the College get legal advice on making the cautions public and provide it to the Council meeting in June 2013.

**Action Item CY**      **to get legal advice on making cautions public and provide it to the Council meeting in June 2013.**

.04f Proposed Amendments to By-Law 22: Professional Liability Insurance - Requirement for members to be personally insured

On February 26, 2013, the College received a communication from the Ministry of Health and Long-Term Care (MOHLTC) that the Minister does not intend to ask for proclamation of the 2009 amendments to *Regulated Health Professions Act 1991* (RHPA) respecting the provision to prohibit a member from practicing unless the member was "personally insured against professional liability" or belonged to an association that provides the member with "personal protection against professional liability".

The College had amended By-Law 22: Liability Insurance in September 2010 to require that members of the College be personally insured and this requirement went into effect on June 1, 2011.

The Registrar provided to the Council a copy of the letter from the Ministry and letters received from the Ontario Secondary School Teachers Federation (OSSTF) and the Legal Counsel to Correctional Services Canada (CSC). The Council discussed the implications of removal of the provision and for By Law 22 revert to the previous requirement for a member to hold or otherwise be covered by professional liability insurance. This would allow for a member to be covered under an employer's liability insurance so long as it met the criteria set out in the By Law. The Council noted that there may be circumstances in which the Employer's insurance may not provide adequate coverage. In such a case, the member should purchase additional insurance.

**It was MOVED McFarlane  
That By Law 22: Professional Liability Insurance be amended  
to remove reference to “personal” insurance coverage so that  
the requirement will be for members to “hold or otherwise be  
covered by professional liability insurance”.**

**CARRIED  
Opposed: Dr. Berman**

The Council directed that the College inform members regarding the issues they should consider following the removal of requirement to carry personal insurance.

- .04g Applied Behaviour Analysts (ABA) Advisory Committee  
This item was added to the agenda at the meeting. The Council considered whether an Advisory Committee should be appointed to develop advice to the Council regarding issues related to possible regulation of Applied Behaviour Analysts in Ontario.

The Registrar advised that the expenses for the Committee meeting or teleconferences could be covered under the Special Projects Budget Line.

**Action Item CY** to assemble a three person expert advisory Committee to develop advice to the Council regarding issues related to possible regulation of Applied Behaviour Analysts in Ontario

**2013.02.05 Business issues**

- .05a Reports from Committees:  
(1) Registration Committee:  
The Council received a report on the activities of the Registration Committee from December 2012 to March 2013.

**It was MOVED Mercier  
That the report on the activities of the Registration Committee  
from December 2012 to March 2013 be received.**

**CARRIED**

Inquiries, Complaints and Reports Committee (ICRC)  
The Council reviewed a report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from December 2012 to March 2013. The Chair of the Committee commented that the report is more detailed and presents new statistics.

**It was Moved Harrison  
That the report on the activities of the Inquiries, Complaints  
and Reports Committee (ICRC) from December 2012 to March  
2013 be received.**

**CARRIED**

.05b Financial Reports:

(1) Variance Report to November 30, 2012

The Registrar provided to the Council the Variance Report to November 30, 2012 and reviewed the items that are projected to exceed the budgeted amount by more than \$1,000. The Registrar reported that at the end of the first quarter, the deficit of \$77, 000s is much lower than projected in the budget.

**It was MOVED Lacroix  
That the Variance Report to November 30, 2012 be received.**

**CARRIED**

(2) Report from the Finance and Audit Committee (FAC) to Council  
The Vice-President took over as Chair for the discussion of this agenda item. The Council received a report from the President on the FAC teleconference held on January 28, 2013.

**It was MOVED Pomichalek  
That the report from the Finance and Audit Committee be  
received.**

**CARRIED**

(3) Draft Budget 2013-2014

The Registrar provided to the Council the draft budget for 2013-2014. This draft budget was reviewed by the FAC and the Executive Committee before being presented to the Council for approval.

The Council noted that the College has Reserve Funds and the auditor has advised that the Reserve Funds should be used for the purpose for which they were designated. The Finance and Audit Committee did not recommend a Fee increase for 2013-2014.

The Barbara Wand Symposium will be held on May 27, 2013.

**It was MOVED Harrison  
That the budget for 2013-2014 be approved.**

**CARRIED**

(4) Investment Policy: Proposed Amendments

The Registrar provided to the Council proposed amendments to the Investment Policy and the considerations for recommending changes to the College's current Investment Policy. The Council had reviewed the proposed amendments at the meeting on December 14, 2012 and agreed that the investment policy should be revised to include acceptable instruments from Schedule II banks and corporations with superior credit ratings.

**It was MOVED McKegney**

**That sections 9.6.2 and 9.6.3 of By-Law 9: Banking and Finance be amended to read as follows:**

**9.6.2 Debt obligations issued or guaranteed by Canadian provincial or territorial governments, banks listed in Schedule I or Schedule II under the Bank Act (Canada) or Canadian corporations, or managed pools of such instruments. The College may invest in high quality debt obligations issued or guaranteed by Canadian provincial or territorial governments, banks incorporated in Canada or Canadian corporations, or in a managed fund of such securities. All investments will be with issuers who have a long term credit rating of at least AA low (Dominion Bond Rating Service) or its equivalent or a short term credit rating of R-1 Mid (DBRS) or its equivalent. A maximum of 10% of the investments will be securities from any one issuer, other than government issuers.**

**9.6.3 Short-term corporate paper or managed pools of such instruments**

**The College may invest in individual instruments or in a managed fund that includes high quality short-term corporate paper and fully collateralized loans on call. All investments in the fund will be with issuers who have a credit rating of at least R-1 mid (DBRS) or its equivalent. Each investment in the fund will have a maximum term to maturity of one year. The average term of the entire fund will generally range from seven days to 90 days. All securities will be marketable. A maximum of 10% of the investments will be securities from any one issuer, other than government issuers.**

**CARRIED**

- .05c Report from the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO)

The Council received an oral report from the Deputy Registrar on the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO) held on February 23-24, 2013.

At the meeting, ACPRO delegates discussed the report from the Substantial Equivalency Project which dealt with the way in which the various Canadian jurisdictions evaluate equivalencies for registration. The project was funded by Human Resources and Skills Development Canada (HRSDC). The 300 page report summarized information gathered from all Canadian jurisdictions on individuals applying for registration; both domestic and foreign trained. Representatives from HRSDC and Federal/ Provincial/ Territorial Labour Mobility groups attended the meeting. The HRSDC and Labour Mobility representatives discussed the Agreement on Internal Trade (AIT) which encourages professions and trades to harmonize entry requirements.

While the report contained twelve recommendations, the meeting focused primarily on two to these:

1. *the need for accredited education and training as the main effective guardians of professional competency at entry level to the profession. This recommendation emphasized the importance of training in the practice of psychology and the need for common set of criteria across jurisdictions as to evaluate training in psychology; and,*
2. *the need to determine the equivalency and acceptability of both pre- and post-registration supervision.*

The discussion focused on the need for equivalency of entry standards across jurisdictions. Most jurisdictions saw benefit in comparing current practices and looking for ways to harmonize requirements.

A motion was discussed and carried through which ACPRO formally indicated its dedication to the development of a national standard for the profession of psychology in Canada. Unfortunately, this motion was not unanimously carried. Given the support of the government representatives present as well as the interest among the majority of jurisdictions however, an ACPRO task force was created to develop a proposal directed toward the way in which interested jurisdictions could begin to come together to develop a national standard for entry to practice in psychology in Canada.

- .05d Interim Report from the Task Force on Psychological Service Providers in the context of disputes concerning Child Custody and Access or Child Protection

The Council received a report from the Task Force on Psychological Service Providers in the context of disputes

concerning Child Custody and Access or Child Protection. This Task Force was initiated by the Executive Committee to develop advice to members regarding their professional obligations in relation to proceedings involving Custody and Access Assessments in response to a suggestion by the Health Professions Appeal and Review Board (HPARB).

The Task Force analyzed results from a survey that had been sent to the membership. The Task Force reported that the response to the survey was very good. Another survey is being planned to gather information on specific issues. The Task Force had hoped to provide a recommendation to the Council meeting in March 2013 but will require additional time to make a final report. The Task Force will provide a final report to the Council meeting in June 2013 or will propose a specific target date for completion at that meeting.

**It was MOVED Lacroix  
That the report from the Task Force on Psychological Service providers in the context of disputes concerning Child Custody and Access or Child Protection be received.**

**CARRIED**

.05e Proposed Salary Ranges: **IN CAMERA**  
This agenda item was discussed **IN CAMERA** in the absence of the Recorder. The minutes for this agenda item will be provided by the Registrar.

.05f Registrar's Performance Review: **IN CAMERA**  
This agenda 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.

.05g Government Relations Report: Moved from .02b(2)  
This item was moved from the Consent agenda for further discussion.

The Registrar responded to a question regarding the AIT survey that the College had completed the survey on the unintended consequences of the Agreement on Internal Trade (AIT).

## **2013.02.06**

### **Other Business**

.06a Dates for Council meetings in 2013  
(i) The next Council meeting will be held on June 21, 2013.

(2) Proposed dates for Council meetings:

Council Meeting 2013.02 March 22, 2013

14/15

The Council confirmed the following dates for Council meetings in 2013:

Council Meeting on Friday October 4, 2013

Council Training Day on Thursday October 3, 2013

Council Meeting on Friday December 13, 2013

**2013.02.07**

**Adjournment**

Prior to adjournment, the Council noted that the following Council members would be completing their terms on Council:

Dr. Mustaq Khan – 6 years

Dr. Jane Ledingham - 5 years

Dr. Allyson Harrison - 3 years

They were presented with Certificates of Appreciation by the President. The President will also be completing his 2<sup>nd</sup> term and retiring from Council. The Registrar thanked the President for his leadership during the year.

The Council noted that Dr. Khan is running for reelection to a 3<sup>rd</sup> term.

There being no further business

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

**CARRIED**

The Council meeting was adjourned at 2:47PM.

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Robert Gauthier, M.SC., M.Ed., C.Psych. Assoc.,  
President

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Lise Mercier, Ph.D., C.Psych, Vice-President

**Minutes approved at the Council meeting on June 21, 2013.**