

ROUGH DRAFT ONLY - NOTE PURPOSES ONLY - NOT CERTIFIED

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NOTICE TO READER

THE FOLLOWING IS A ROUGH DRAFT TRANSCRIPT OF THE PROCEEDINGS HELD JANUARY 20, 2022. THIS IS NOT A CERTIFIED VERBATIM TRANSCRIPT, NOR IS IT INTENDED TO BE SO. THIS IS MERELY A WRITTEN COPY OF COMMUNICATION ACCESS PROVIDED VIA CAPTIONING. IT SHOULD ONLY BE USED AS AN UNEDITED GUIDE FOR THE READER. THIS ROUGH DRAFT TRANSCRIPT MAY NOT BE REPRODUCED OR DISTRIBUTED IN ANY WAY, SHAPE OR FORM WITHOUT THE EXPRESS WRITTEN CONSENT OF NEESONS.

BARBARA WAND SEMINAR  
PROFESSIONAL ETHICS, STANDARDS  
AND CONDUCT  
THURSDAY, JANUARY 20, 2022

BARRY GANG: GOOD MORNING, EVERYONE, ON THIS CHILLY ONTARIO DAY. I'M BARRY GANG, DEPUTY REGISTRAR AND DIRECTOR OF PROFESSIONAL AFFAIRS AT THE COLLEGE OF PSYCHOLOGISTS IN ONTARIO.

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1 THE BARBARA WAND SEMINARS IN  
2 PROFESSIONAL ETHICS, STANDARDS, AND CONDUCT WERE  
3 STARTED YEARS AGO TO CELEBRATE THE CONTRIBUTIONS OF  
4 BARBARA WAND IN ONTARIO, THE "BARBARA WAND" AS MANY  
5 HAVE COME TO CALL THE EVENT. THIS EVENT WAS  
6 ESTABLISHED IN DECEMBER 1991, ABOUT 30 YEARS AGO TO  
7 HONOUR DR. WAND.

8 DR. WAND WAS THE REGISTRAR OF THE  
9 COLLEGE'S PRECURSOR, THE ONTARIO BOARD OF EXAMINERS  
10 IN PSYCHOLOGY, FROM 1976 TO 1991. THE SEMINAR  
11 WHICH, WAS THEN AN ANNUAL EVENT, WAS NAMED IN  
12 HONOUR OF HER CONTRIBUTIONS TO THE REGULATION OF  
13 THE PROFESSION.

14 THE BARBARA WAND IS NORMALLY A TWICE  
15 YEARLY EVENT, NORMALLY IN DIFFERENT PARTS OF THE  
16 PROVINCE AS WELL AS ONLINE. UNFORTUNATELY AS WE  
17 ALL KNOW, THINGS HAVEN'T BEEN NORMAL FOR A COUPLE  
18 OF YEARS NOW, AND WE WILL PROBABLY HAVE TO STOP  
19 USING THAT WORD IN THE WAY WE USUALLY DO IT AFTER  
20 THE PANDEMIC.

21 WE HOPE TO START MEETING MEMBERS IN  
22 PERSON AGAIN AS SOON AS WE CAN IN DIFFERENT PARTS  
23 OF THE PROVINCE, AND WE WILL KEEP HOPING FOR THE  
24 NEXT ONE.

25 WITH ABOUT 2,000 DIFFERENT DEVICES

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1 CONNECTING TO THE SEMINAR TODAY, IT'S CERTAIN THAT  
2 THERE WILL BE A FEW GLITCHES, AND SOME OF YOU WILL  
3 NEED SOME PROFESSIONAL SUPPORT. AS YOU KNOW FROM  
4 YOUR CONFIRMATION E-MAIL, TECHNICAL SUPPORT IS  
5 AVAILABLE BY E-MAIL AT SUPPORT@SMPAV.CA. RATHER  
6 THAN JOINING THE QUEUE TO HAVE YOUR QUESTIONS  
7 ANSWERED, YOU MIGHT WANT TO LOOK AT SOLUTIONS FROM  
8 COMMON PROBLEMS WE FOUND AT PAST EVENTS. YOU CAN  
9 RELOAD THE WEBCAST, REFRESH YOUR BROWSER, AND WORST  
10 CASE SCENARIO, ALL OF THE PROCEEDINGS WILL BE  
11 AVAILABLE ON OUR WEBSITE WITHIN ABOUT 10 DAYS.

12 WE HAVE LEARNED THE HARD WAY THAT  
13 TAKING LIVE QUESTIONS THROUGHOUT A PRESENTATION  
14 WITH SUCH A LARGE GROUP IS REALLY DIFFICULT, AND  
15 WE'RE ASKING THAT YOU SEND IN ANY QUESTIONS YOU  
16 HAVE DURING THE PRESENTATION BY USING THE Q&A  
17 BUTTON AT THE BOTTOM OF THE SCREEN. PLEASE DON'T  
18 TRY THE CHAT BUTTON, WE HAVE DISABLED IT. WE WILL  
19 ANSWER AS MANY QUESTIONS WE HAVE TIME FOR, BUT IT  
20 IS NOT LIKELY WE WILL GET THROUGH THEM ALL.

21 IF YOU HAVE UNANSWERED QUESTIONS AT THE  
22 END OF THE PRESENTATION, PLEASE E-MAIL US AT  
23 BWSQUESTIONS@CPO.ON.CA. YOU KNOW HOW TO FIND THE  
24 RESOURCES FROM THE CONFIRMATION E-MAIL, BUT IF NOT,  
25 PRESENTATION MATERIALS CAN BE FOUND ON YOUR

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1 CONFIRMATION E-MAIL AND ON THE COLLEGE WEBSITE AT  
2 THE BARBARA WAND SEMINAR.

3 YOU CAN GET CLOSED CAPTIONING BY  
4 CLICKING THE BUTTON ON THE BOTTOM OF THE SCREEN.  
5 WE WILL HAVE A TRANSCRIPT OF THE PRESENTATION AND  
6 RECORDING OF THE SEMINAR IN ABOUT TWO WEEKS.

7 ANOTHER THING WE GET LOTS OF QUESTIONS  
8 ABOUT IS CPD CREDITS. AS MANY OF YOU ALREADY KNOW,  
9 YOU CAN CLAIM ONE CREDIT PER HOUR, SO A TOTAL OF  
10 THREE IF YOU LISTEN TO THE WHOLE SEMINAR, FOR  
11 ACKNOWLEDGE ACQUISITION, EITHER TODAY OR IF YOU'RE  
12 LISTENING TO THE ARCHIVED VERSION.

13 IN ADDITION, YOU CAN GET AN EXTRA  
14 CREDIT IN CATEGORY A8 NOW OR LATER OR EVEN IF YOU  
15 JUST DISCUSS THE PRESENTATION WITH YOUR COLLEAGUES  
16 BECAUSE OF THE RECOGNIZED VALUE OF PROFESSIONAL  
17 INTERACTION.

18 PLEASE SAVE YOUR DOCUMENTATION OF YOUR  
19 PARTICIPATION TODAY FOR THE PURPOSES OF THE CPD  
20 PROGRAM. YOU CAN EITHER USE YOUR E-MAIL  
21 CONFIRMATION OR IF YOU ARE WATCHING WITH A GROUP,  
22 ANY KIND OF CORRESPONDENCE ABOUT THE WATCHING OF  
23 THIS TOGETHER.

24 TO MINIMIZE TRANSITIONS THIS MORNING,  
25 WE WILL INTRODUCE ALL OF THE SPEAKERS NOW. THE

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1 FIRST PERSON YOU WILL HEAR FROM IS DR. WANDA  
2 TOWERS, THE PRESIDENT OF THE COLLEGE, WHO WILL  
3 FORMALLY AND MORE FULLY START THE SEMINAR.

4 THEN WE WILL HEAR FROM RICK MORRIS,  
5 REGISTRAR AND EXECUTIVE DIRECTOR. HIS TRICKY  
6 ISSUES ARE THE FEATURE EVERYONE ALWAYS WANTS MORE  
7 OF. HE HAS WORKED IN CHILDREN'S MENTAL HEALTH FOR  
8 MANY YEARS BEFORE COMING TO THE COLLEGE BOTH IN  
9 DIRECT SERVICE AND IN SENIOR CLINICAL AND  
10 ADMINISTRATIVE POSITIONS. HE FREQUENTLY MAKES  
11 PRESENTATIONS TO MEMBER AND NONMEMBER GROUPS TO  
12 ONTARIO AND BEYOND ON A VARIETY OF PROFESSIONAL  
13 PRACTICE TOPICS. HE'S THE FORMER CHAIR OF ACPRO,  
14 THE ASSOCIATION OF CANADIAN PSYCHOLOGY REGULATORY  
15 ORGANIZATIONS, WHICH IS OUR NATIONAL ORGANIZATION.  
16 HE'S ALSO SERVED ON MANY COMMITTEES FOR THE  
17 INTERNATIONAL ASSOCIATION OF STATE AND PROVINCIAL  
18 PSYCHOLOGY BOARDS, ASPPB, AND IS A FELLOW OF THAT  
19 ORGANIZATION.

20 HE'S ALSO THE RECIPIENT OF THE ONTARIO  
21 PSYCHOLOGICAL ASSOCIATION BARBARA WAND AWARD FOR  
22 EXCELLENCE IN ETHIC AND STANDARDS.

23 THERE WILL BE A 10 MINUTE BREAK AFTER  
24 RICK. I WILL BE UP AFTER THAT TALKING ABOUT  
25 NAVIGATING ETHICAL CHALLENGES.

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1                   BEFORE I BECAME THE DIRECTOR A COUPLE  
2 YEARS AGO, I WAS THE DIRECTOR OF INVESTIGATIONS AND  
3 HEARINGS AND BEFORE THAT I WORKED PRIMARILY WITH  
4 CHILDREN AND FAMILIES BOTH IN DIRECT SERVICE AND  
5 MANAGEMENT.

6                   FINALLY, LAST BUT NOT LEAST, ZIMRA  
7 YETNIKOFF THE CURRENT DIRECTOR OF INVESTIGATION AND  
8 HEARINGS WILL TALK ABOUT LESSONS LEARNED THROUGH  
9 THE COMPLAINTS PROCESS. SHE OVERSEES THE  
10 COMPLAINTS AND FITNESS TO PRACTICE PART OF THE  
11 COLLEGE AND BEFORE THIS, SHE WAS AN INVESTIGATIONS  
12 CASE MANAGEMENT RESPONSIBLE FOR INVESTIGATING CASES  
13 OF MISCONDUCT, INCOMPETENCE AND INCAPACITY.

14                   BEFORE JOINING THE COLLEGE IN 2009, SHE  
15 WORKED AS LEGAL COUNCIL WITH THE SPECIAL  
16 INVESTIGATIONS UNIT AT THE MINISTRY OF THE ATTORNEY  
17 GENERAL OF ONTARIO.

18                   SO NOW I'D LIKE TO INTRODUCE DR. WANDA  
19 TOWERS, PRESIDENT OF THE COLLEGE.

20                   WANDA TOWERS: GOOD MORNING, EVERYONE.  
21 I'D LIKE TO START BY THANKING BARRY GANG FOR  
22 ORGANIZING TODAY'S SEMINAR. I'M PLEASED THAT WE  
23 ARE ALL HERE AND PRESENT AND, YOU KNOW, AS WE BEGIN  
24 THE SEMINAR TODAY, IN MY ROLE AS PRESIDENT OF THE  
25 COLLEGE COUNCIL, I'M SPEAKING ON BEHALF OF COUNCIL

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1 WHO MADE A COMMITMENT IN 2021 TO BE A PARTICIPANT  
2 IN SOME OF THE NECESSARY RECONCILIATION WORK WITH  
3 INDIGENOUS PEOPLE THAT WE IDENTIFIED, AND IT IS A  
4 SMALL STEP I HOPE WILL BE ONE OF MANY, BUT COUNCIL  
5 BELIEVES IT IS IMPORTANT TO BEGIN THE PRACTICE OF  
6 ACKNOWLEDGING THE HISTORY OF THE LANDS AND PEOPLE  
7 ON WHICH THE COLLEGE IS LOCATED AND AT THE START OF  
8 COUNCIL MEETING AND THIS BARBARA WAND SEMINAR.

9 SO TODAY I'M GOING TO DO THIS FOR THE  
10 FIRST TIME AT THIS SEMINAR, AND I WANT TO RECOGNIZE  
11 WITH APPRECIATION THE RELATIONSHIP THAT INDIGENOUS  
12 PEOPLE HAVE HAD WITH THE LAND WHERE THE COLLEGE IS  
13 LOCATED AND HONOUR THEM AS STEWARDS OF IT. THEY  
14 HAVE LIVED, WORKED AND CARED FOR THE LAND ACROSS  
15 TIME WITH THIS LAND ACKNOWLEDGEMENT. I WOULD LIKE  
16 TO ACKNOWLEDGE WITH RESPECT THAT THE LAND ON WHICH  
17 THE COLLEGE OFFICES ARE LOCATED IS THE TRADITIONAL  
18 TERRITORY OF MANY NATIONS INCLUDING THE  
19 MISSISSAUGAS OF THE CREDIT, THE ANISHINAABE, THE  
20 CHIPPEWA, THE HAUDENOSAUNEE, AND THE WENDAT  
21 PEOPLES.

22 THESE LANDS ARE NOW HOME TO MANY  
23 DIVERSE FIRST NATION, INUIT AND MÉTIS PEOPLE. WE  
24 ALSO RECOGNIZE THAT THE MEETING PLACE OF TORONTO  
25 TRADITIONALLY KNOWN AS TKRONTO IS COVERED BY TREATY

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1 13 OF THE MISSISSAUGAS OF THE CREDIT AND IS IN THE  
2 LANDS OF THE DISH WITH ONE SPOON COVENANT.

3 AS A GROUP, WE'RE MEETING VIRTUALLY AND  
4 THOSE OF YOU ATTENDING TODAY ARE LOCATED ACROSS THE  
5 PROVINCE, SO I RECOGNIZE THAT EACH OF US MIGHT BE  
6 MEETING FROM OTHER LANDS UPON WHICH THE INDIGENOUS  
7 COMMUNITIES HAVE A TRADITIONAL KINSHIP.

8 I WOULD ALSO LIKE TO OFFER EACH OF YOU  
9 A WARM WELCOME TO THE JANUARY 2022 BARBARA WAND  
10 SEMINAR. AND I HOPE THE WARMTH OF MY WELCOME OFF  
11 SETS THE COLD AND BLUSTERY WINTER WEEK WE HAVE  
12 EXPERIENCED AND THAT YOU ARE ALL SAFELY ENTRENCHED  
13 IN FRONT OF YOUR VERY FAMILIAR COMPUTER MONITORS TO  
14 WATCH AND LEARN TODAY.

15 MANY OF YOU ARE JOINING TOGETHER IN  
16 SOME MANNER WITH COLLEAGUES TO HEAR AND DISCUSS THE  
17 MATERIAL TODAY, WHICH IS A GREAT WAY TO LEARN.

18 AND I ENCOURAGE THOSE OF YOU WHO ARE  
19 WATCHING ON YOUR OWN TO, YOU KNOW, FIND A COLLEAGUE  
20 TO CHAT WITH. IN THE NEAR FUTURE, TO DISCUSS TAKE  
21 AWAYS FOR TODAY'S SESSION.

22 THANK YOU FOR TAKING THE TIME TO ATTEND  
23 AND I ANTICIPATE IT WILL BE AN INTERESTING AND  
24 INFORMATIVE MORNING.

25 WE HAVE COME TO VIEW BARBARA WAND

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1 SEMINAR AS AN IMPORTANT CALENDAR EVENT FOR OUR  
2 PROFESSION AND I'M CONFIDENT EACH OF YOU WILL  
3 CONSIDER HOW TO APPLY WHAT YOU LEARNED TODAY IN  
4 YOUR PROFESSIONAL PRACTICE PROVIDING THE MUCH  
5 NEEDED PSYCHOLOGICAL SERVICES TO THE PUBLIC IN  
6 ONTARIO. EACH MEMBER OF THE PUBLIC WE SERVE  
7 BENEFITS WHEN WE, AS PROFESSIONALS, LEARN HOW TO  
8 NAVIGATE TRICKY PROFESSIONAL PRACTICE ISSUES AND  
9 APPLY ETHICAL DECISION MAKING IN OUR WORK SETTINGS.

10 I'M SURE YOU'RE ALL LOOKING FORWARD AS  
11 I AM TO HEARING OUR NEXT SPEAKER, DR. RICK MORRIS,  
12 REGISTRAR AND EXECUTIVE DIRECTOR AT THE COLLEGE  
13 DISCUSS TRICKY ISSUES AS HE TACKLES QUESTIONS WE  
14 ALL SEEM TO HAVE IN OUR PROFESSIONAL PRACTICE.

15 IT IS MY PLEASURE NOW TO TURN THE  
16 MICROPHONE OVER TO HIM.

17 RICK MORRIS: THANKS, WANDA. AND GOOD  
18 MORNING, EVERYONE.

19 I HOPE THAT EVERYONE HAS BEEN HEALTHY  
20 AND THAT YOU AND YOUR FAMILIES ARE ALL KEEPING WELL  
21 DURING THIS DIFFICULT TIME.

22 IN THE HANDOUT, THERE ARE 10 SCENARIOS  
23 OF TRICKY ISSUES. IN PREPARING FOR TODAY, I  
24 REVIEWED THE QUESTIONS THAT HAD COME TO OUR  
25 PRACTICES BY SERVICE OVER THE PAST COUPLE OF

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1 MONTHS, AND I TRIED TO CHOOSE THEMES WHICH APPEARED  
2 WITH SOME FREQUENCY AND WHICH WERE SOMEWHAT GENERAL  
3 IN NATURE, RATHER THAN SPECIFIC TO A PARTICULAR  
4 CLIENT AREA OF PRACTICE OR WORK SETTING.

5 I'M NOT SURE IF THERE WILL BE TIME TO  
6 DISCUSS ALL OF THOSE IN THE HANDOUT, BUT IF NOT, I  
7 WILL POST A DISCUSSION OF WHATEVER WE DON'T GET TO  
8 IN THE NEXT HEADLINES.

9 I PLAN TO LEAVE A BIT OF TIME AT THE  
10 END OF MY PRESENTATION FOR A FEW QUESTIONS FROM THE  
11 Q&A BOX AT THE BOTTOM OF YOUR SCREEN IF THERE ARE  
12 ANY.

13 AS YOU KNOW, IF YOU HAVE ATTENDED ONE  
14 OF MY TRICKY ISSUE PRESENTATIONS IN PERSON OR IN A  
15 SMALL ZOOM GROUP, IT CERTAINLY WORKS BETTER AS AN  
16 INTERACTIVE SESSION. UNFORTUNATELY, THE LAST  
17 COUPLE OF BARBARA WAND SEMINARS HAD TO BE VIRTUAL  
18 AND THE GROUP IS FAR TOO LARGE TO PERMIT MUCH, IF  
19 ANY, INTERACTION.

20 SO TODAY I WANT TO TRY SOMETHING A  
21 DIFFERENT.

22 WHILE THERE'S STILL MULTIPLE CHOICE AND  
23 TRUE FALSE QUESTIONS, WE'RE GOING TO LET YOU USE  
24 THE POLL FUNCTION TO ANSWER EACH QUESTION. WE WILL  
25 THEN TAKE A LOOK AT THE POLL RESULTS AND DISCUSS

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1 EACH SCENARIO BEFORE YOU MOVE ON TO THE NEXT.

2 ONCE THE POLL IS OPEN, PLEASE RESPOND  
3 PROMPTLY AS WE WILL BE CLOSING THE POLL WHEN IT  
4 LOOKS LIKE A LARGE PERCENTAGE OF YOU HAVE ANSWERED.  
5 IF YOU'RE WATCHING IN A GROUP, THIS MEANS YOU'LL  
6 NEED TO QUICKLY GET A CONSENSUS AMONG THE PEOPLE  
7 YOU'RE WITH.

8 ONE MORE THING, IF THIS IS SET UP THE  
9 WAY I HOPE IT IS, YOU SHOULD BE ABLE TO CHOOSE MORE  
10 THAN ONE OF THE MULTIPLE CHOICE ANSWERS AS IN SOME  
11 CASES, THERE MAY BE MORE THAN ONE OKAY RESPONSE.

12 SO WITH THAT, LET'S GET STARTED AND SEE  
13 HOW THIS WORKS. NEXT SLIDE PLEASE.

14 SO THE FIRST SCENARIO. YOU HAVE BEEN  
15 SEEING A YOUNG... (READS SLIDE).

16 LET'S LOOK AT THE OPTIONS. NEXT SLIDE  
17 PLEASE.

18 SO, SINCE YOU'RE SEEING THE CLIENT  
19 BASED ON PARENT'S CONSENT... (READS SLIDE).

20 THOSE WERE THE 5 CONSIDERATIONS I CAME  
21 UP WITH. WHAT I WOULD NOW LIKE YOU TO DO WHEN WE  
22 PUT THE POLL UP IS TO CHOOSE WHICH OF THE FIVE  
23 OPTIONS, ALTHOUGH THEY CAN'T ALL BE RIGHT, YOU  
24 THINK IS THE BEST OR THINGS YOU WOULD CONSIDER IN  
25 LOOK AT THIS SITUATION?

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1 THE POLL IS UP THERE. AND I'VE TRIED  
2 TO PUT ENOUGH OF THE DESCRIPTION BESIDE EACH ONE SO  
3 THAT YOU CAN SEE WHAT THEY ARE.

4 I ALSO WANT TO POINT OUT THAT YOU CAN,  
5 WITH YOUR MOUSE, MOVE THE POLL OUT OF THE WAY OR UP  
6 AND DOWN SO YOU CAN CONTINUE TO SEE THE COMPLETE  
7 SLIDE. WE WILL JUST WAIT FOR A COUPLE MINUTES  
8 UNTIL WE HAVE A MAJORITY OF PEOPLE VOTING.

9 WE'RE ABOUT TO MOVE TO THE RESULTS.

10 THERE'S THE RESULTS. AS YOU CAN SEE,  
11 THE MAJORITY OF YOU CHOOSE EITHER NUMBER TWO AND/OR  
12 NUMBER THREE. THOSE TWO WOULD CERTAINLY BE THE  
13 OPTIONS OR THE CONSIDERATIONS THAT I MIGHT HAVE  
14 ALSO CHOSEN.

15 THE FIRST ONE IN THIS SCENARIO, IF WE  
16 CONSIDER THAT THE 15 YEAR OLD IS CAPABLE, THEN, AS  
17 WE SAID IN NUMBER THREE, THE THERAPY WOULD NOT  
18 NECESSARILY BE OVER JUST BECAUSE THE PARENTS WITH  
19 DREW THEIR CONSENT. IF WE WERE TALKING ABOUT A  
20 MUCH YOUNGER CHILD OR IF WE'RE TALKING ABOUT AN  
21 INCAPABLE ADOLESCENT, SOMEBODY YOU DEEM TO BE  
22 INCAPABLE, THEN NUMBER ONE COULD READILY BE THE  
23 ANSWER BECAUSE WE COULDN'T CONTINUE UNLESS WE HAD  
24 THE CONSENT OF THE CAPABLE PERSON PROVIDING THAT.

25 AS YOU NOTED, NUMBER TWO IS CORRECT IN

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1            THAT ALTHOUGH PHIPA DOES PROVIDE FOR PARENTS TO  
2            VIEW THE FILE OR RECEIVE A COPY OF THE FILE OF  
3            CHILDREN UNDER 16, IF THE CHILD DOESN'T WANT THAT,  
4            THE WISHES OF THE CHILD PREVAIL.

5                        AS I SAID BEFORE DISCUSSING NUMBER ONE,  
6            CERTAINLY IF YOU JUDGE THE CHILD TO BE CAPABLE,  
7            THEN HE CAN CONSENT FOR HIMSELF AND THERE'S NO AGE  
8            ON CONSENT. SO EVEN THOUGH HE'S UNDER 16, THAT'S  
9            FINE, IF YOU JUDGE HIM TO BE CAPABLE.

10                        NUMBER FOUR IS AN INTERESTING ONE.  
11            THIS IS NOT ACTUALLY ACCURATE OR CORRECT IN TERMS  
12            OF THE 77 PEOPLE WHO CHOSE THIS ONE. ONCE YOU  
13            DETERMINE THAT THE ADOLESCENT IS RESPONSIBLE FOR OR  
14            HAS CONTROL OVER HIS INFORMATION, IT WILL RELATE TO  
15            ALL THE INFORMATION IN THE FILE IN THE SAME WAY AS  
16            IF YOU WERE TALKING ABOUT AN ADULT AND SOME OF THE  
17            INFORMATION IN THE FILE WAS RECEIVED FROM WHEN THEY  
18            WERE A CHILD, IT WOULD CERTAINLY BE THAT ADULT  
19            CLIENT'S CONTROL -- ADULT CLIENT WHO WOULD DECIDE  
20            WHETHER OR NOT TO RELEASE OR NOT RELEASE THE  
21            INFORMATION, REGARDLESS OF WHO CONSENTED WHEN THAT  
22            ADULT CHILD -- ADULT INDIVIDUAL WAS THE CLIENT OR  
23            WHEN THE INFORMATION WAS GATHERED.

24                        AND THEN THE LAST ONE, FROM A PRACTICAL  
25            POINT OF VIEW, IT MAY BE TRUE THAT THE CLIENT MAY

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1 BE UNABLE TO PAY FOR YOUR SERVICES, BUT YOU HAVE TO  
2 KEEP IN MIND THAT IF IT'S A CAPABLE INDIVIDUAL, WE  
3 CAN'T JUST CANCEL THE THERAPY AND DROP HIM COLD  
4 TURKEY, THAT WE WOULD HAVE TO TAKE STEPS TO  
5 TERMINATE PROPERLY, REASONABLE NOTICE AND SOME OF  
6 THOSE THINGS THAT ARE SET OUT IN THE PROFESSIONAL  
7 MISCONDUCT REGULATION REGARDING THE TERMINATION OF  
8 CLIENTS.

9 SO FOR THE MOST PART, THAT WAS ANSWERED  
10 BY MOST OF YOU IN THE WAY THAT I WOULD HAVE  
11 ANSWERED IT, AND THAT POLL FORMAT SEEMED TO WORK  
12 REASONABLY WELL.

13 SO LET'S GO ON TO THE NEXT ONE.

14 CALLING THIS ONE MISSING PERSON  
15 OBLIGATION.

16 THE POLICE ARE INVESTIGATING A MISSING  
17 PERSON CASE... (READS SLIDE SCENARIO 2).

18 SO LET'S SEE WHAT YOU THINK THERE.  
19 THERE'S 3 OPTIONS. ONE, TWO AND/OR THREE. LET'S  
20 VOTE ON THIS ONE.

21 THE RESULTS SHOULD BE COMING UP  
22 MOMENTARILY. THERE THEY ARE, AND I CERTAINLY AGREE  
23 WITH THE MAJORITY OF YOU, THAT OUR OBLIGATION WOULD  
24 BE TO COMPLY WITH A PRODUCTION OF RECORDS ORDER OR  
25 TO PROVIDE THE INFORMATION SET OUT IN THE URGENT

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1 DEMAND FOR RECORDS FORM PROVIDED BY THE OFFICER.  
2 IT'S NOT APPROPRIATE TO PROVIDE THE  
3 INFORMATION TO THE OFFICER JUST BECAUSE THEY ASKED  
4 FOR IT. THERE ARE, AS NOTED IN TWO AND THREE,  
5 THERE ARE LEGAL VEHICLES BY WHICH THE OFFICER CAN  
6 OBTAIN, WHICH WOULD THEN REQUIRE YOU TO BREACH  
7 CONFIDENTIALITY AND PROVIDE THE INFORMATION  
8 SPECIFIED. AND THAT'S WHY IT'S NOT GOOD ENOUGH FOR  
9 YOU TO JUST ACCEPT THE REQUEST OF THE OFFICER IN  
10 PERSON. THERE'S NO AUTHORITY FOR YOU TO BREACH  
11 CONFIDENTIALITY AND PROVIDE THE INFORMATION JUST  
12 WITH THE VERBAL REQUEST.

13 BUT IF THERE'S A PRODUCTION OF RECORDS  
14 ORDER, LIKE ANY KIND OF -- ANY TYPE OF A COURT  
15 ORDER, THAT'S CERTAINLY SOMETHING ONE SHOULD COMPLY  
16 WITH. AND AS WELL -- AND THIS IS THE NEW FORM THAT  
17 CAME OUT IN THE MISSING PERSON ACT OF 2018, AN  
18 OFFICER CAN PROVIDE AN URGENT DEMAND FOR RECORDS  
19 FORM, AND THE OBLIGATION WOULD BE TO PROVIDE THE  
20 INFORMATION SET OUT IN THAT FORM.

21 IF YOU WANT TO TAKE A LOOK AT THAT  
22 FORM, YOU CAN SEE IT ON THE MINISTRY WEBSITE IF YOU  
23 GOOGLE URGENT DEMAND FOR RECORDS. IT WILL TAKE  
24 YOU -- I BELIEVE THE FIRST THING YOU'LL SEE IS A  
25 PDF OR THE ABILITY TO GET A PDF OF THAT FORM AND

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1 YOU CAN SEE WHAT IT LOOKS LIKE.

2 OKAY. SO LET'S GO ON TO NUMBER 3.

3 AND THIS ONE RELATES TO THE DUTY OR  
4 AUTHORITY TO OFFSET HARM. YOUR 20 SOMETHING YEAR  
5 OLD CLIENT... (READS SLIDE).

6 SO IF YOU HAVE GOT THE SCENARIO, WE CAN  
7 GO ON TO POSSIBLE RESPONSES TO THIS SCENARIO. NEXT  
8 SLIDE PLEASE.

9 SINCE YOUR CLIENT TOLD YOU ABOUT THIS,  
10 ASSUMING HE WAS PROTECTED BY  
11 CONFIDENTIALITY... (READS SLIDE).

12 SO LET'S BRING UP THE POLL. AS I SAY,  
13 YOU CAN KEEP IT OFF TO THE SIDE SO YOU CAN CONTINUE  
14 TO SEE THE FULL STATEMENTS. PLEASE INDICATE WHICH  
15 OF THOSE YOU THINK APPLIES TO THIS SITUATION.  
16 COUPLE MORE SECONDS.

17 OKAY THE RESULTS ARE COMING UP. ALL  
18 RIGHT SO WE HAVE -- OOPS. THE RESULTS ARE GONE.

19 CAN WE TRY THE RESULTS AGAIN?

20 THAT LOOKS DIFFERENT FROM THE FIRST  
21 TIME. DO WE HAVE TO DO THE POLL AGAIN?

22 MAYBE WE HAVE TO. TECHNICAL PROBLEM.  
23 WOULD YOU MIND VOTING AGAIN, PLEASE, FOR WHETHER  
24 YOU THINK IT IS 1, 2, 3, 4 AND/OR 5. LET'S SEE.  
25 ALL RIGHT THAT LOOKS MORE LIKE WE HAD BEFORE.

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1                   ALL RIGHT, AND THE ANSWER THAT WORKS  
2                   FOR ME AND SEEMS TO WORK FOR THE MAJORITY OF YOU  
3                   WHO VOTED IS NUMBER TWO, AND THAT IS THAT ONE MAY  
4                   TAKE SOME ACTION WHICH COULD INVOLVE BREACHING  
5                   CONFIDENTIALITY TO OFFSET HARM IF YOU FEEL IT'S  
6                   NECESSARY.

7                   EACH OF THE OTHERS, 1, 3, 4 AND 5 HAVE  
8                   SOME KIND OF A PROBLEM IN IT.

9                   LOOKING AT THE FIRST ONE, THIS WOULD BE  
10                  CONTRARY TO NUMBER 2. THIS WOULD SUGGEST THAT  
11                  REGARDLESS OF HOW SERIOUS OF A CONCERN YOU MIGHT  
12                  HAVE ABOUT THE SITUATION, CONFIDENTIALITY OVERRIDES  
13                  THAT CONCERN 100% AND YOU CAN'T DO ANYTHING. AND  
14                  THAT CERTAINLY IS NOT TRUE. IT IS UNFORTUNATE IF  
15                  THE CLIENT THOUGHT HIS CONVERSATION WITH YOU  
16                  REGARDING HARM WAS PROTECTED BY CONFIDENTIALITY AND  
17                  THAT MAY HAVE ASKING TO DO WITH HIS LACK OF  
18                  UNDERSTANDING OF THE LIMITS OF THE BEGINNING OF  
19                  YOUR SESSIONS WITH HIM, BUT REGARDLESS OF THAT,  
20                  CONFIDENTIALITY DOES NOT OVERRIDE YOUR ABILITY TO  
21                  TAKE SOME ACTION IN THE SITUATION, IF YOU FEEL A  
22                  NEED TO.

23                  AS WE SAID, NUMBER TWO IS AN  
24                  APPROPRIATE ANSWER.

25                  NUMBER THREE, IN OUR LEGISLATION,

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1           THERE'S NO REFERENCE TO IMMINENT HARM.

2                         IN SOME OF THE AMERICAN JURISDICTIONS  
3           WHERE THEY HAVE DUTY TO PERFORM LEGISLATION,  
4           THERE'S A REQUIREMENT THAT THE INFORMATION YOU HAVE  
5           SUGGEST THAT THE HARM IS IMMINENT AND SUGGESTS THAT  
6           ONE HAS AN IDENTIFIABLE VICTIM.

7                         OUR LEGISLATION IN ONTARIO DOESN'T HAVE  
8           THAT AS A CRITERIA. IT SAYS BASICALLY THAT IF YOU  
9           BELIEVE ON REASONABLE GROUNDS THAT DISCLOSURE IS  
10          NECESSARY TO OFFSET HARM, THEN YOU MAY PREVENT --  
11          TAKE ACTION. YOU MAY BREACH CONFIDENTIALITY TO  
12          PREVENT THAT HARM. AND IT DOESN'T SAY ANYTHING  
13          ABOUT THAT HARM HAVE TO BE IMMINENT AND IT DOESN'T  
14          SAY ANYTHING ABOUT YOU HAVING TO IDENTIFY  
15          SPECIFICALLY THE PARTICULAR INDIVIDUAL.

16                        SO OUR PERMISSION IS MUCH BROADER WITH  
17          RESPECT TO WHAT WE ARE ABLE TO CONSIDER.

18                        NUMBER FOUR, THE PROBLEM WITH NUMBER  
19          FOUR, AND I DID THIS SPECIFICALLY. NUMBER FOUR  
20          TALKS ABOUT AN OBLIGATION, A LEGISLATIVE OBLIGATION  
21          TO TAKE SOME ACTION. THIS IS NOT THE CASE IN  
22          ONTARIO. ONCE AGAIN LOOKING AT SOME AMERICAN  
23          JURISDICTIONS, THEIR DUTY TO WARN LEGISLATION IS  
24          QUITE PRESCRIPTIVE AND SAYS THAT IF YOU ARE  
25          CONCERNED ABOUT HARM, IF YOU HAVE A SERIOUS CONCERN

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1 ABOUT HARM TO OTHERS, YOU MUST TAKE SOME ACTION.  
2 IN ONTARIO WE DON'T HAVE THAT KIND OF A MUST. IT  
3 IS A MAY, AS IT POINTED OUT IN NUMBER TWO.

4 AND SO IT REALLY BECOMES ONE'S  
5 PROFESSIONAL JUDGMENT TO DECIDE WHETHER OR NOT  
6 ACTION IS REQUIRED IN TERMS OF PREVENTING HARM TO  
7 SELF OR OTHERS.

8 AND THAT CAN MAKE THINGS, MAKE THIS  
9 MUCH MORE DIFFICULT BECAUSE WE HAVE TO DECIDE WHAT  
10 THE BEST ACTION IS TO TAKE OR WHETHER TO TAKE ANY  
11 ACTION AT ALL.

12 DIFFERENT FROM CHILD ABUSE REPORTING  
13 WHERE WE REALLY DON'T HAVE A DECISION TO MAKE. THE  
14 LEGISLATION IS QUITE CLEAR THAT ONE MUST REPORT.  
15 WHEN IT COMES TO THE AUTHORITY TO BREACH  
16 CONFIDENTIALITY AROUND CONCERN ABOUT HARM, IT ISN'T  
17 THAT PRESCRIPTIVE AND REQUIRES US TO MAKE A  
18 DECISION AS TO WHETHER WE'RE GOING TO DO SOMETHING.

19 AND FINALLY, THERE'S NOTHING IN THE  
20 LEGISLATION, THIS SECTION, THAT SAYS THAT THE  
21 VICTIM OR THE CLIENT -- THE VICTIM OR THE  
22 PERPETRATOR MUST BE OUR CLIENT. IT TALKS ABOUT  
23 DISCLOSING INFORMATION IN ORDER TO ELIMINATE OR  
24 REDUCE SIGNIFICANT RISK OF SERIOUS BODILY HARM AND  
25 IT DOESN'T SPECIFY WHETHER THE PERSON WHO IS -- WHO

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1 MAY BE HURT IS THE CLIENT OR WHETHER THE POTENTIAL  
2 PERPETRATOR IS OUR CLIENT. SO IT RELATES TO ANY  
3 HARM THAT WE MIGHT FIND OUT ABOUT WHETHER IT  
4 INVOLVES OUR CLIENT DIRECTLY OR NOT.

5 OKAY, LET'S MOVE ON TO THE NEXT ONE.

6 HERE I HAVE A SERIES OF FOUR TRUE OR  
7 FALSE QUESTIONS. THEY AREN'T CONNECTED IN ANY WAY,  
8 THE FOUR THAT ARE THERE.

9 SO WHAT I'M GOING TO ASK YOU TO DO WHEN  
10 WE DO THE POLL IS TO INDICATE TRUE OR FALSE TO EACH  
11 OF THESE.

12 (READS NUMBER ONE) .

13 TRUE OR FALSE?

14 NEXT ONE (READS NUMBER TWO) .

15 SO TAKING A LOOK AT EACH ONE OF THESE,  
16 WE WILL PUT THE POLL UP AND CHOOSE WHETHER OR NOT  
17 THESE ARE TRUE OR FALSE.

18 YOU CAN SCROLL DOWN. ON MY SCREEN THE  
19 NUMBER FOUR GETS CUT OFF, BUT IF I SCROLL DOWN, I  
20 CAN SEE THE REST OF NUMBER FOUR. OR YOU CAN MAKE  
21 THE WHOLE BOX BIGGER. WE'RE JUST ABOUT READY FOR  
22 THE RESULTS OF THIS POLL ON THE TRUE/FALSE  
23 QUESTIONS. HERE ARE THE RESULTS.

24 SO LET'S GO FROM THE TOP. THAT ONE IS  
25 ALMOST A 50 -- WELL, IT IS TWO-THIRDS ONE-THIRD IN

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1 TERMS OF TRUE AND FALSE.

2 THE ANSWER TO THAT, AND I THINK A LOT  
3 OF MEMBERS MIGHT HAVE MISSED THIS IN THE  
4 PROFESSIONAL MISCONDUCT IN THE BILLING SECTION,  
5 THIS IS DEFINITELY TRUE. THE ONTARIO PSYCHOLOGICAL  
6 COLLEGE DOES POST FEES. I BELIEVE THE INTENDED  
7 HOURLY FEE IS 225 DOLLARS AND THE PROFESSIONAL  
8 MISCONDUCT REG INDICATES IF ONE IS GOING TO CHARGE  
9 MORE THAN \$225 THAN ONE NEEDS TO INFORM ONE'S  
10 CLIENT THAT ONE IS CHARGING ABOVE THE SCHEDULE FEE  
11 SET FOR THE PROFESSION AND HOW MUCH THAT AMOUNT IS.

12 SO THAT'S SOMETHING YOU MIGHT WANT TO  
13 THINK ABOUT. IF YOU'RE NOT DOING IT AND YOU DO  
14 CHARGE OVER THE SCHEDULE FEES, THEN INCORPORATE  
15 THAT INTO YOUR BEGINNING SESSION WHEN YOU'RE  
16 DISCUSSING FEES WITH YOUR CLIENT.

17 NUMBER TWO IS DEFINITELY FALSE. WHILE  
18 I CAN UNDERSTAND WHY SOME PEOPLE MIGHT HAVE GONE  
19 WITH THE IDEA OF THIS BEING TRUE, THAT IS WANTING  
20 TO PROTECT CONFIDENTIALITY SO NOT LETTING THE  
21 SHREDDING COMPANY OR THE COMPUTER TECHNICIAN HAVE  
22 ACCESS TO YOUR FILES, ON A PRACTICAL LEVEL, THIS IS  
23 REALLY NOT SOMETHING THAT WOULD WORK.

24 SO YES, IT IS FALSE. YOU DON'T HAVE TO  
25 BE PRESENT WHILE SHRED IT SHREDS YOUR MATERIALS OR

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1 THE COMPUTER PERSON FIXES YOUR COMPUTER.

2 BUT ONE OF THE THINGS YOU WOULD WANT TO  
3 DO IS SPEAK WITH THEM, OR IF IT'S A LARGE COMPANY  
4 LIKE SHRED IT, WHAT KIND OF A CONFIDENTIALITY AND  
5 PRIVACY POLICY THEY HAVE.

6 THEY SHOULD HAVE A WRITTEN POLICY AND  
7 THEIR POLICY SHOULD SATISFY YOU THAT THEY  
8 UNDERSTAND PHIPA AND THEIR RESPONSIBILITY. SO YOU  
9 CAN FEEL COMFORTABLE OR CONFIDENT THAT THE  
10 INFORMATION THAT YOU ARE PROVIDING TO THEM AND  
11 ASKING THEM TO SHRED WILL BE MAINTAINED AS  
12 CONFIDENTIAL.

13 NUMBER THREE IS ONE THAT LOOKS LIKE  
14 MOST PEOPLE NOW KNOW ABOUT. IT'S A CHANGE TO PHIPA  
15 THAT CAME IN, OH, A FEW YEARS AGO. AND ALTHOUGH IT  
16 MAY CAUSE SOME DIFFICULTY FOR THE CLIENT, IT IS  
17 IMPORTANT THAT WE TELL THE CLIENT IF THEIR  
18 INFORMATION IS LOST, STOLEN, IF WE SEND IT ON TO  
19 THE WRONG PRACTITIONER ACCIDENTLY. THE CLIENT HAS  
20 A RIGHT TO KNOW THAT THAT INFORMATION WAS  
21 POTENTIALLY ACCESSED BY SOMEONE OTHER THAN WHOEVER  
22 WAS SUPPOSED TO GO TO.

23 AND AT THIS TIME, WHEN TALKING ABOUT  
24 THIS, I USUALLY LIKE TO POINT OUT THAT WHEN IT  
25 COMES TO CLIENTS AND PATIENTS, IN MANY SITUATIONS,

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1 WE BECOME THE CLIENT OR THE PATIENT. THINK OF THIS  
2 IF YOU WERE THE CLIENT OR PATIENT OF YOUR FAMILY  
3 PHYSICIAN OR CHIROPRACTOR OR OCCUPATIONAL THERAPIST  
4 OR WHATEVER OTHER HOW CAN PROFESSIONAL YOU WENT TO  
5 AND IF INADVERTENTLY THAT INFORMATION WAS SENT TO  
6 THE WRONG PRACTITIONER AS PART OF A REFERRAL OR  
7 THAT INFORMATION WAS STOLEN, I THINK YOU WOULD WANT  
8 TO KNOW ABOUT THAT. I WOULD CERTAINLY WANT TO KNOW  
9 AND THAT'S WHERE PHIPA COMES IN AND SAYS THAT WE AS  
10 THE PATIENT OR CLIENT DEFINITELY HAVE THE RIGHT TO  
11 KNOW THAT SOMETHING HAS GONE AWRY WITH OUR PERSONAL  
12 HEALTH INFORMATION.

13 THE FOURTH ONE, THIS ISN'T A  
14 REQUIREMENT, SO I GUESS THAT TRUE OR FALSE COULD  
15 BOTH BE CONSIDERED AS CORRECT ANSWERS, ALTHOUGH WE  
16 DO STRONGLY RECOMMEND -- AND I GUESS LEANING MUCH  
17 MORE TOWARDS A TRUE. WE DO STRONGLY RECOMMEND WHEN  
18 A FILE HAS REACHED ITS, THE END OF ITS REQUIRED  
19 RETENTION PERIOD AND YOU DECIDE TO SECURELY DESTROY  
20 IT, WE RECOMMEND THAT YOU KEEP SOME RECORD OF WHAT  
21 IT IS THAT YOU HAVE DESTROYED AND SO YOU WANT TO  
22 HAVE THE NAME AND DATE OF BIRTH SO YOU CAN THEN BE  
23 ABLE TO KNOW WHICH CLIENT YOU'RE TALKING ABOUT.

24 IT SHOULD BE HELPFUL TO HAVE AN INITIAL  
25 DATE SEEN AND LAST DATE SEEN AND THE DATE IT WAS

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1 SHREDDERED. IN THIS WAY, IF YOU RECEIVE A REQUEST  
2 FOR INFORMATION AND CAN'T FIND THAT FILE, YOU MAY  
3 NOT REMEMBER THAT WAS A CLIENT FROM 15 YEARS AGO.  
4 BUT IF YOU CAN'T FIND THAT FILE, YOU CAN THEN LOOK  
5 AT YOUR LIST OF SHREDDERED FILES AND SAY, OH OKAY.  
6 RIGHT. I REMEMBER. OR MY LIST TELLS ME YES THEY  
7 WERE A FILE, BUT THE FILE WAS SHREDDERED ON THIS DATE  
8 AND THAT DATE WOULD BE FOR ADULTS 10 YEARS PAST THE  
9 DATE OF LAST CONTACT.

10 SO WE DON'T HAVE A SPECIFIC RULE AT THE  
11 COLLEGE. IT IS NOT IN THE STANDARDS ONE MUST DO  
12 THAT. IT IS CERTAINLY A RECOMMENDED PRACTICE.

13 OKAY. WE CAN CLOSE THE POLL RESULTS  
14 AND MOVE ON TO THE NEXT SCENARIO.

15 NUMBER FIVE. INTER JURISDICTIONAL  
16 PRACTICE. WE GET A LOT OF QUESTIONS ABOUT INTER  
17 JURISDICTIONAL PRACTICE.

18 DUE TO THE PANDEMIC...(READS SLIDE).

19 LET'S IDENTIFY THE CORRECT STATEMENTS.  
20 NEXT SLIDE PLEASE.

21 IS IT CORRECT THAT, ONE, YOU MAY  
22 PROVIDE SERVICES TO YOUR CLIENTS...(READS SLIDE).

23 ON A DAY LIKE TODAY, YOU MAY BE  
24 CONSIDERING A TWO MONTH VACATION IN ARIZONA.

25 OR, NUMBER TWO, IS IT TRUE YOU MAY

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1 PROVIDE SERVICES TO AN EXISTING ONTARIO RESIDENT  
2 CLIENT... (READS SLIDE) .

3 SO THE FIRST ONE HAS YOU IN ARIZONA AND  
4 THE CLIENT IN ONTARIO. THE SECOND ONE HAS YOU IN  
5 ONTARIO AND CLIENT IS IN ARIZONA.

6 THE THIRD, IS IT TRUE THAT THERE'S A  
7 MUTUAL RECOGNITION AGREEMENT... (READS SLIDE) .

8 LET'S GO TO THE POLL AND I WANT YOU TO  
9 IDENTIFY WHICH OF THOSE ARE CORRECT.

10 A COUPLE MORE SECONDS. AND HERE COME  
11 THE RESULTS. SO 66% OF US INDICATED THAT THE FIRST  
12 ONE IS CORRECT, AND CERTAINLY THE FIRST ONE IS  
13 CORRECT. YOU MAY PROVIDE SERVICES TO YOUR CLIENTS  
14 IN ONTARIO WHILE YOU'RE TEMPORARILY LOCATED IN  
15 ARIZONA BECAUSE YOU'RE REGISTERED IN ONTARIO, AND  
16 THAT'S WHERE YOUR CLIENTS ARE. SO YOU ARE  
17 PERMITTED TO CONTINUE TO WORK WITH THOSE CLIENTS.

18 HOWEVER, NUMBER TWO IS INCORRECT. IF  
19 YOUR CLIENT IS NOW SITTING IN ARIZONA FOR 6 MONTH  
20 WORK ASSIGNMENT OR ON VACATION, YOU DON'T HAVE THE  
21 AUTHORITY, BEING REGISTERED IN ONTARIO, TO  
22 NECESSARILY PRACTICE -- TO PRACTICE IN ARIZONA.  
23 ARIZONA PSYCHOLOGY BOARD MAY ALLOW YOU TO DO SO,  
24 BUT YOU CAN'T AUTOMATICALLY WORK WITH THE CLIENT IN  
25 ARIZONA JUST BECAUSE THEY WERE A CLIENT IN ONTARIO.

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1 THIS IS RESUMING THAT YOU'RE IN ONTARIO.

2 AND IF WE JUMP DOWN TO NUMBER FIVE  
3 THEN, THAT'S SORT OF THE GENERAL RULE, THAT FOR THE  
4 MOST PART -- AND I SAY FOR THE MOST PART BECAUSE A  
5 COUPLE OF JURISDICTIONS HAVE IT DIFFERENTLY, BUT  
6 FOR THE MOST PART, PSYCHOLOGY REGULATORS CONSIDER  
7 IT'S THE LOCATION OF THE CLIENT WHICH DETERMINES  
8 WHERE ONE MUST BE REGISTERED.

9 SO IF THE CLIENT IS IN ONTARIO AND  
10 YOU'RE REGISTERED IN ONTARIO, YOU CAN WORK HERE.  
11 YOU CAN CONTINUE TO SEE THAT CLIENT. IT DOESN'T  
12 MATTER WHERE YOU'RE LOCATED BECAUSE THE SERVICE IS  
13 BEING PROVIDED IN ONTARIO TO A CLIENT IN ONTARIO.

14 SO NUMBER FIVE IS TRUE. IT GOES ALONG  
15 WITH NUMBER ONE.

16 NUMBER THREE, UNFORTUNATELY AT THIS  
17 POINT IT IS NOT TRUE. THERE'S NO MUTUAL  
18 RECOGNITION AGREEMENT ACROSS THE CANADIAN  
19 REGULATORS WHICH WILL PERMIT VIRTUAL SERVICES FROM  
20 ONE PROVINCE TO THE NEXT. IT IS SOMETHING THAT  
21 WE'RE WORKING ON. THE ORGANIZATION BARRY MENTIONED  
22 IN THE INTRODUCTION, IS WORKING ON THIS, TRYING TO  
23 COME UP WITH A MUTUAL RECOGNITION OF SOME SORT THAT  
24 WOULD PERMIT SORT OF CROSS JURISDICTIONAL OR  
25 PAN-CANADIAN VIRTUAL PRACTICE TO HAPPEN, BUT

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1 CURRENTLY IT DOESN'T. IT'S A COMPLICATED ISSUE  
2 BECAUSE AS YOU KNOW, PROVISION OF HEALTHCARE IS A  
3 PROVINCIAL JURISDICTION, SO EACH OF THE 10  
4 PROVINCES AND TERRITORIES HAVE THEIR OWN  
5 LEGISLATION, AND DEPENDING ON THE LEGISLATION, IT  
6 MAY OR MAY NOT BE POSSIBLE FOR ONE TO WORK IN  
7 VARIOUS JURISDICTIONS.

8 AND SO WE, MEANING ACPRO, ARE TRYING TO  
9 SORT THIS OUT AND COME UP WITH SOME KIND OF A WAY  
10 IN WHICH WE CAN HAVE NUMBER 3 BE A TRUE STATEMENT.  
11 THAT'S SOMETHING BEING WORKED ON BUT CERTAINLY  
12 ISN'T IN PLACE AS OF YET.

13 AND FINALLY, THIS IS ALSO FALSE, THE  
14 WAY IT IS WRITTEN. OUR COLLEGE IN ONTARIO, WE DO  
15 NOT HAVE THE AUTHORITY TO TELL YOU AS  
16 PRACTITIONERS, THAT IT IS OKAY FOR YOU TO PRACTICE  
17 IN ANOTHER JURISDICTION WITHOUT BEING REGISTERED  
18 THERE.

19 IT IS TRUE IN RESPONSE TO THE PANDEMIC  
20 AND AS AN EMERGENCY MEASURE, THE COLLEGES HAVE ALL  
21 MADE AN AGREEMENT TO TRY AND FACILITATE PRACTICE  
22 ACROSS THE JURISDICTIONS, BUT IT WOULD BE IMPORTANT  
23 IF YOU WANT -- IF YOU'RE REGISTERED IN ONTARIO AND  
24 IF YOU HAVE A REASON TO BE SEEING A CLIENT IN  
25 ANOTHER JURISDICTION IN CANADA, IT WOULD BE

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1           IMPORTANT THAT YOU KNOW AND FIND OUT WHAT THE --  
2           WHAT THAT JURISDICTION WOULD EXPECT OF YOU EITHER  
3           ON A REGULAR BASIS OR DURING THE PANDEMIC, IN ORDER  
4           TO BE REGISTERED THERE.

5                         WE HAVE MADE SOME -- A FEW CHANGES WITH  
6           RESPECT TO ONTARIO WHICH WILL PERMIT MEMBERS,  
7           PRACTITIONERS, FROM OTHER JURISDICTIONS THAT MAYBE  
8           WERE SEEING A CLIENT IN THEIR HOME JURISDICTION  
9           WHILE THEY WERE THERE, BUT THEN THE PERSON HAS HAD  
10          TO COME TO ONTARIO FOR SOME REASON DUE TO THE  
11          PANDEMIC AND THEY DON'T WANT TO DISRUPT THAT  
12          SERVICE. WE HAVE MADE SOME ARRANGEMENTS AROUND  
13          THAT.

14                        BUT IT BECOMES OUR COLLEGE'S DECISION  
15          IF OTHER PEOPLE CAN PRACTICE HERE AND SIMILARLY IN  
16          TERMS OF NUMBER FOUR, IF YOU WISH TO PRACTICE IN  
17          ANOTHER JURISDICTION, IT'S IMPORTANT THAT YOU FIND  
18          OUT FROM THEM WHETHER IT'S OKAY AND WHAT THEY MIGHT  
19          REQUIRE OF YOU.

20                        OKAY. LET'S GO ON TO THE NEXT ONE.

21                        SCENARIO 6, ASSESSMENT REPORT  
22          DISAGREEMENT... (READS SLIDE).

23                        OH, DON'T NEED THE POLL UP THERE AGAIN  
24          FROM THE LAST QUESTION.

25                        WHEN THE CLIENT RETURNED TO DISCUSS THE

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1           OUTCOME... (READS) .

2                           WHAT ARE WE GOING TO DO WITH OUR  
3           INFORMATION ABOUT HIM AND HIS IN QUOTES NERVOUS  
4           BREAKDOWN THAT WE PUT INTO A REPORT THAT HE DEMANDS  
5           WE REMOVE IT FROM OUR REPORT AND DELETE IT FROM OUR  
6           NOTES .

7                           CAN WE HAVE THE POLL FOR SCENARIO  
8           NUMBER 6, PLEASE? OH, AND NEXT SLIDE, PLEASE.

9                           SO HERE'S -- YOU CAN SEE THE POLL AND  
10          YOUR CHOICES ARE, WE'RE GOING TO DELETE ANY MENTION  
11          OF HOSPITALIZATIONS FROM THE REPORT... (READS  
12          SLIDE) .

13                          THERE'S THE POLL. IT'S UP THERE. WHAT  
14          DO YOU THINK IS -- WHAT WOULD YOUR ACTIONS BE WITH  
15          REGARDS TO THIS INFORMATION RECEIVED FROM THE  
16          CLIENT, IS IN THE REPORT, AND THE CLIENT HAS  
17          DEMANDED YOU TOTALLY GET RID OF?

18                          WE'LL CLOSE THE POLL SHORTLY.

19                          LET'S SEE WHAT THE RESULTS LOOK LIKE.  
20          OKAY, SO I THINK THAT, WELL, WE HAVE A VARIETY OF  
21          OPINIONS. JUST RUNNING THROUGH THEM FROM TOP TO  
22          BOTTOM, I WOULD CERTAINLY AGREE WITH THE NUMBER  
23          THREE -- OR NUMBER ONE, SORRY, AS A POSSIBLE OPTION  
24          AND AGREEING WITH ONE-THIRD OF OUR GROUP WHO  
25          THOUGHT THAT WAS THE ANSWER.

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1                   AND THAT IS THAT YOU WOULD'VE MADE A  
2                   PROFESSIONAL OPINION THAT IT REALLY WASN'T RELEVANT  
3                   TO THE QUESTION BEING ASKED, SO THEN YOU CAN TAKE  
4                   IT OUT OF THE REPORT. BECAUSE WHAT'S IN THE REPORT  
5                   IS UP TO YOU TO DECIDE AND YOU CAN DECIDE IT IS NOT  
6                   RELEVANT. BUT IT IS IMPORTANT THAT YOU KEEP IT IN  
7                   YOUR NOTES, AS IT WAS GATHERED AS PART OF THE  
8                   INFORMATION THAT YOU OBTAINED DURING THE  
9                   ASSESSMENT.

10                   NUMBER TWO IS NOT OKAY. I MEAN BECAUSE  
11                   THAT WOULD BE JUST GENERALLY -- THAT WOULD BE JUST  
12                   REMOVING IT FROM NOT JUST THE REPORT, BUT ALSO FROM  
13                   YOUR NOTES AND WE SHOULD BE KEEPING ANY KIND OF  
14                   INFORMATION OF THAT SORT IN OUR NOTES, AND  
15                   CERTAINLY THE REASON TO DO THAT TO SATISFY THE  
16                   NEEDS OF THE CLIENT, UNFORTUNATELY WHILE WE'D LIKE  
17                   THE CLIENT TO BE SATISFIED AND HAPPY, SOMETIMES  
18                   THAT'S NOT POSSIBLE.

19                   WE CAN CERTAINLY DO NUMBER THREE, IF WE  
20                   FELT IT WAS RELEVANT. THEN IT WOULD BE IMPORTANT  
21                   FOR US TO LEAVE THE INFORMATION IN THE REPORT  
22                   BECAUSE IT IS RELEVANT TO THE REPORT WE WROTE AND  
23                   THE REPORT WE'RE GOING TO BE SIGNING AS OUR  
24                   PROFESSIONAL OPINION, AND CERTAINLY GIVE THE CLIENT  
25                   A COPY OF THAT REPORT AND THE CLIENT CAN DO WHAT HE

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1 WANTS WITH IT. HE CAN SHRED HIS COPY OF IT OR  
2 WHATEVER HE WANTS WITH IT.

3 THE PROBLEM WITH NUMBER FOUR AND SORT  
4 OF A TRICK QUESTION, I GUESS. TWO-THIRDS OF YOU  
5 CHOSE THIS ONE. THIS IS LEAVING THE NOTATION IN  
6 THE REPORT AS YOU FELT IT WAS RELEVANT, WHICH IS  
7 CERTAINLY OKAY. BUT WE WOULD WANT TO BE VERY  
8 CAREFUL NOT TO ASSURE THE CLIENT THAT IT WOULD  
9 NEVER BE RELEASED TO ANYONE WITHOUT HIS SPECIFIC  
10 INFORMED CONSENT. AS YOU KNOW, IN TERMS OF LIMITS  
11 OF CONFIDENTIALITY, THERE ARE OCCASIONS WHEN WE  
12 LOSE CONTROL OVER WHETHER OR NOT OUR INFORMATION IS  
13 GOING TO BE RELEASED. THESE GENERALLY RELATE TO  
14 COURT ORDERS, HAVING TO TAKE -- BEING SUMMONED TO  
15 COURT AND TAKING FILES TO COURT. SO WE LOSE  
16 CONTROL OVER WHETHER OR NOT WE -- WHETHER OR NOT  
17 THAT INFORMATION WOULD BE RELEASED OR NOT RELEASED.  
18 SO THIS IS JUST -- THE TRICK IN HERE IS JUST NOT TO  
19 GUARANTEE TO THE CLIENT THAT NO MATTER WHAT, IT  
20 WOULD NEVER BE RELEASED WOULD SPECIFIC CONSENT  
21 BECAUSE YOU MIGHT FIND YOURSELF IN A SITUATION  
22 WHERE YOU ARE ORDERED, BY THE COURTS FOR EXAMPLE,  
23 TO RELEASE IT.

24 AND THE LAST ONE I SEE NOBODY RESPONDED  
25 TO, AND I'M GLAD TO SEE THAT. ALTHOUGH WE

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1 CERTAINLY WOULD LIKE TO GET PAID FOR OUR WORK,  
2 CHANGING THE REPORT AND CHANGING YOUR PROFESSIONAL  
3 OPINION IN ORDER TO SATISFY THE CLIENT SO THAT  
4 HE'LL PAY US FOR OUR WORK WOULD NOT BE AN OKAY  
5 THING TO DO.

6 IF THE CLIENT DECIDE THEY WEREN'T GOING  
7 TO PAY US BECAUSE THEY WEREN'T SATISFIED, THEN  
8 THERE ARE WAYS IN WHICH WE COULD GO ABOUT TRYING TO  
9 COLLECT THAT PAYMENT.

10 BUT USING THE BEING PAID MOTIVATION AS  
11 THE REASON TO CHANGE A REPORT WOULD OBVIOUSLY NOT  
12 BE A GOOD IDEA AND IT'S QUITE OBVIOUS BECAUSE NO  
13 ONE GOT ZERO PERCENT, WELL, FOUR PEOPLE, BUT ZERO  
14 PERCENT OF YOU THOUGHT IT WAS A GOOD ANSWER.

15 SO LET'S GO ON TO NUMBER 7.

16 THIS IS KIND OF A CONTINUATION.

17 THE CLIENT IN THE PREVIOUS SCENARIO IS  
18 OBVIOUSLY UNHAPPY WITH OUR REFUSAL TO  
19 ACCOMMODATE... (READS) .

20 WHAT'S GOING TO BE YOUR RESPONSE TO  
21 THIS REQUEST? LET'S PUT UP THE NEXT SLIDE AND WE  
22 CAN PUT UP THE POLL AT THE SAME TIME SO PEOPLE CAN  
23 CHOOSE AS WE GO ALONG.

24 WOULD YOU... (READS) .

25 AND IF YOU REMEMBER FROM THE FIRST

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1 SCENARIO, HE WANTED THE REPORT TO DOCUMENT AND  
2 SUPPORT HIS STRESS LEAVE SITUATION, SO HE GAVE YOU  
3 CONSENT TO PROVIDE THE REPORT TO YOUR -- TO HIS  
4 EMPLOYER.

5 LET'S CHOOSE FROM OUR MULTIPLE CHOICE  
6 LIST WHICH WOULD BE CORRECT AND ACTIONS YOU MIGHT  
7 TAKE.

8 HERE COME THE RESULTS.

9 WELL, NOT A LOT OF DISCUSSION NEEDS TO  
10 HAPPEN HERE. I AGREE WITH 98% OF YOU WHO SAID WE  
11 WOULD RETAIN THE FILE REGARDLESS OF THE REQUEST OF  
12 THE CLIENT. WE WOULD RETAIN THE FILE AND THE  
13 ORIGINAL REPORT. AND IN THIS CASE WE WOULD ASSURE  
14 HIM OR TELL HIM IT CAN ONLY BE RELEASED WITH HIS  
15 CONSENT UNLESS OTHERWISE REQUIRED OR DIRECTED BY  
16 LAW, WHICH WOULD BE THE APPROPRIATE ANSWER,  
17 DIFFERENT FROM THE LAST SET OF ANSWERS WHEN THE  
18 ANSWER SUGGESTED THE INFORMATION WOULD NEVER BE  
19 RELEASED.

20 NUMBER TWO WE CAN'T -- NUMBER TWO  
21 SUGGESTS DESTROYING THE FILE AND CERTAINLY  
22 REGARDLESS OF THE REASON OR REGARDLESS OF WHAT'S IN  
23 IT, WE CAN'T DESTROY THE FILE. WE HAVE RETENTION  
24 OBLIGATIONS. NUMBER TWO WOULD GO AGAINST THE  
25 RETENTION OBLIGATIONS.

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1                   NUMBER 3, IT'S KIND OF LYING TO YOUR  
2                   CLIENT. I NEVER RECOMMEND LYING TO YOUR CLIENT AND  
3                   SUGGESTING THAT OH YEAH, I TOOK CARE OF IT. I  
4                   DESTROYED THE FILE, BUT THEN NOT REALLY DESTROYING  
5                   THE FILE. SO NOT AN ACTION THAT WOULD BE CONDONED.

6                   THE STANDARDS FOR PROFESSIONAL CONDUCT  
7                   DON'T SEE ANYTHING ABOUT REASSESSMENTS AND LENGTH  
8                   OF TIME BETWEEN AN ASSESSMENT AND REASSESSMENT.  
9                   THERE'S NOTHING IN THE STANDARDS THAT WOULD MAKE IT  
10                  IMPOSSIBLE FOR HIM TO RECEIVE A REASSESSMENT WITHIN  
11                  A YEAR OR FOR YOU TO DO THAT REASSESSMENT WITHIN A  
12                  YEAR.

13                  IN THIS SCENARIO, THERE'S A GOOD CHANCE  
14                  THIS PARTICULAR CLIENT WOULDN'T EVEN HAVE MENTIONED  
15                  TO YOU THEY HAD A PREVIOUS ASSESSMENT, BUT EVEN IF  
16                  YOU DID FIND OUT IN SOME WAY, IT DOESN'T MEAN --  
17                  THERE'S NOTHING IN THE STANDARDS THAT SAY YOU CAN'T  
18                  DO A REASSESSMENT WITHIN 365 DAYS OF THE PREVIOUS  
19                  ONE. WHAT WOULD BE IMPORTANT IS IF YOU DECIDE TO  
20                  TAKE THAT ON, IT WOULD BE UP TO YOU TO ENSURE THAT  
21                  THE TESTS YOU USE ARE GOING TO BE VALID AND  
22                  RELIABLE GIVEN THAT THEY MAY HAVE BEEN USED IN THE  
23                  RECENT PAST.

24                  BUT IT BECOMES A JUDGMENT OF YOUR AS TO  
25                  WHETHER OR NOT YOU WILL DO A REASSESSMENT OF AN

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1 INDIVIDUAL AND WHAT THE TIME PERIOD WILL BE BETWEEN  
2 DOING THE FIRST ASSESSMENT AND THE SECOND  
3 ASSESSMENT.

4 AND NUMBER THREE -- SORRY, NUMBER FIVE  
5 IS NOT OKAY. ALTHOUGH WE DID RECEIVE THE CONSENT  
6 AT THE TIME THAT WE WERE FILLING OUT ALL THE FORMS  
7 AT THE BEGINNING OF THE FIRST APPOINTMENT, IT WOULD  
8 BE QUITE CLEAR THAT WE NO LONGER HAVE THE CLIENT'S  
9 INFORMED CONSENT. I THINK AT THE BEGINNING OF THE  
10 ASSESSMENT, THE CLIENT JUST ASSUMED THAT THE  
11 ASSESSMENT WOULD BE SOMETHING THAT WE WANTED TO GO  
12 TO HIS EMPLOYER, SO HE GAVE CONSENT FOR THAT TO  
13 HAPPEN, BUT GIVEN THE CONCERN AND HIS DEMANDS ABOUT  
14 REMOVING INFORMATION AND NOT BEING HAPPY WITH THE  
15 REPORT, IT WOULD BE SAFE TO ASSUME THAT WE NO  
16 LONGER HAVE HIS INFORMED CONSENT TO SEND THE REPORT  
17 TO HIS EMPLOYER SO IT WOULDN'T BE OKAY TO DO THAT,  
18 AND NOT OKAY TO USE THE CONSENT THAT WE RECEIVED  
19 PRIOR TO THE ASSESSMENT WHEN IT WAS REALLY NOT AN  
20 INFORMED CONSENT.

21 OKAY, LET'S MOVE ON TO THE NEXT SET OF  
22 TRUE FALSE QUESTIONS.

23 OKAY, MAYBE WE CAN PUT THE POLL UP AT  
24 THE SAME TIME SO PEOPLE CAN DECIDE OR INDICATE AS  
25 WE GO ALONG.

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1                   SO THE FIRST ONE, WITH THE CLIENT'S  
2                   CONSENT, ONE MAY RELEASE INFORMATION FROM THE  
3                   CLINICAL FILE... (READS SLIDE) .

4                   SO TAKING A LOOK AT THOSE FOUR  
5                   INDIVIDUAL STATEMENTS, CHOOSE WHETHER YOU THINK  
6                   THEY ARE TRUE OR FALSE.

7                   COUPLE MORE SECONDS AND WE'LL GO TO THE  
8                   RESULTS.

9                   AND HERE THEY COME. OKAY, LOOK AT  
10                  THAT. TWO-THIRDS ONE-THIRD SPLIT ON NUMBER ONE.

11                  NUMBER ONE IS TRUE. PHIPA DOES GIVE  
12                  THE CLIENT THE AUTHORITY TO ACCESS THEIR  
13                  INFORMATION OR, THE AUTHORITY TO ASK THAT THEIR  
14                  INFORMATION BE DISCLOSED TO SOMEONE ELSE. THIS IS  
15                  THE INFORMATION IN THE CLINICAL FILE AND THERE'S  
16                  NOTHING IN PHIPA THAT SAYS THAT WE CAN ONLY  
17                  DISCLOSE THE INFORMATION THAT WE AUTHORED AND THE  
18                  INFORMATION WE GENERATED. WHATEVER INFORMATION YOU  
19                  HAVE IN YOUR CLINICAL FILE ON A CLIENT IS SUBJECT  
20                  TO THE CLIENT'S ABILITY TO ACCESS THAT INFORMATION  
21                  OR THE ABILITY OF THE CLIENT TO AUTHORIZE THAT  
22                  INFORMATION, BE RELEASED TO SOMEBODY ELSE.

23                  SO THE FACT THAT IT'S A REPORT THAT  
24                  CAME IN A REFERRAL PANEL FROM A PREVIOUS  
25                  PSYCHOLOGICAL ASSESSMENT OR PSYCHIATRIC ASSESSMENT

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1 DOESN'T MEAN THAT GIVEN THE CLIENT'S CONSENT WE  
2 CAN'T RELEASE THAT INFORMATION EITHER TO THE CLIENT  
3 OR TO SOMEONE THAT THE CLIENT WISHES US TO RELEASE  
4 IT TO.

5 CERTAINLY THERE ARE SOME QUALIFIERS ON  
6 THAT, AND RISK OF HARM TO CLIENT IS CERTAINLY ONE  
7 REASON WHY ONE MIGHT WITHHOLD INFORMATION. BUT AS  
8 A GENERAL RULE, ONCE WE HAVE THE INFORMATION IN OUR  
9 CLINICAL FILE, THAT'S THE FILE THAT THE CLIENT HAS  
10 CONTROL OVER.

11 NUMBER TWO, UNFORTUNATELY -- I GUESS  
12 UNFORTUNATELY NUMBER TWO IS FALSE. WHILE WE WOULD  
13 HOPE THAT THE CLIENT'S CLAIM THAT THEY PROVIDED TO  
14 THEIR INSURER FOR PSYCHOLOGICAL SERVICES IS  
15 HONOURED, WHETHER IT WAS SERVICES PROVIDED BY ME AS  
16 A MEMBER OR SOMEBODY SUPERVISED BY ME, IT IS REALLY  
17 UP TO THE INSURANCE COMPANY AS TO WHETHER THEY WILL  
18 HONOUR A CLAIM OR NOT.

19 AS A PROFESSION, WE HAVE NO CONTROL  
20 OVER THAT. IT DEPENDS ON THE INSURANCE COMPANY AND  
21 SO WE MIGHT LIKE IT TO BE TRUE AS 30% OF YOU  
22 INDICATED, IT'S NOT NECESSARILY TRUE.

23 NUMBER 3. NUMBER 3 IS TRUE AS  
24 TWO-THIRDS OF YOU SAID. THERE'S NOTHING IN THE  
25 STANDARDS OF PROFESSIONAL CONDUCT THAT SAYS WE HAVE

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1 TO RETAIN A FILE WITH INFORMATION RELATED TO SEXUAL  
2 ABUSE PAST THE RETENTION PERIOD. HAVE TO RETAIN  
3 THE INFORMATION FOR AS LONG AS RETENTION PERIOD  
4 REQUIRES AND THEN AFTER THAT, IT REALLY BECOMES UP  
5 TO YOU AS TO WHETHER OR NOT YOU WANT TO KEEP  
6 INFORMATION.

7 I KNOW MANY PRACTITIONERS HAVE, AS  
8 THEIR OWN PRACTICE RULE, THAT IF THE INFORMATION  
9 DOES CONTAIN REFERENCES TO SEXUAL ABUSE OR  
10 SOMETHING LIKE THAT, THEY WILL KEEP THAT FILE  
11 INDEFINITELY, BECAUSE IN TERMS OF SEXUAL ABUSE OR  
12 SEXUAL ASSAULT, THERE TENDS TO BE NO STATUTE OF  
13 LIMITATIONS WITHIN THE LAW, AND THE FILE MAY BE  
14 HELPFUL OR NEEDED, BUT THERE'S CERTAINLY NOTHING IN  
15 THE STANDARDS OR IN THE LEGISLATION THAT REQUIRES  
16 ONE TO KEEP THE FILE PAST THE RETENTION PERIOD.

17 AND THE LAST ONE, WELL, 21% OF YOU ARE  
18 CORRECT IN THAT THIS IS A FALSE STATEMENT. WHETHER  
19 IT COMES TO INCAPACITY OR PROFESSIONAL MISCONDUCT,  
20 AS MEMBERS OF THE COLLEGE, WE DON'T HAVE AN  
21 OBLIGATION TO REPORT OUR COLLEAGUES, NECESSARILY,  
22 OR TO TURN OUR COLLEAGUES IN WHETHER WE KNOW  
23 THERE'S SOMETHING WITH PROFESSIONAL MISCONDUCT. WE  
24 ARE CONCERNED ABOUT IT, OR IF WE HAVE A CONCERN  
25 THAT THEY ARE INCAPACITATED. WE DON'T HAVE A

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1 OBLIGATION TO INFORM THE COLLEGE. CERTAINLY THE  
2 COLLEGE WOULD LIKE TO KNOW ABOUT IT. THE COLLEGE  
3 WOULD LIKE TO KNOW IF THERE ARE CONCERNS ABOUT  
4 SOMEONE'S CAPACITY DUE TO PHYSICAL OR MENTAL  
5 DIFFICULTIES, BUT CERTAINLY THERE'S NO OBLIGATION  
6 ON MY PART OF YOUR PART AS A MEMBER TO DO THAT.

7 WE HAVE A COUPLE MORE. LOOKS LIKE WE  
8 MIGHT HAVE TIME FOR THEM.

9 LET'S GO TO NUMBER 9.

10 SCENARIO 9, ELDER ABUSE  
11 REPORTING... (READS) .

12 WHICH OF THOSE, WHEN YOU CONSULTED WITH  
13 YOUR CLIENT OR COLLEAGUES, THEY GAVE YOU SOME  
14 CORRECT INFORMATION. WHICH IS THE INFORMATION YOU  
15 MIGHT HAVE RECEIVED.

16 LET'S HAVE THE POLL. OKAY, JUST ABOUT  
17 READY FOR THE RESULTS. SO HERE ARE THE RESULTS.

18 NUMBER OF PEOPLE, QUARTER OF THE PEOPLE  
19 WHO VOTED INDICATED THAT THERE IS A MANDATORY  
20 REPORTING OBLIGATION, SO WE WOULD THEN REPORT TO  
21 THE FORMERLY THE CCAC WHICH IS NOW THE LHS. THAT'S  
22 INCORRECT. THERE'S NO MANDATORY REPORTING  
23 OBLIGATION RELATED TO ELDER ABUSE NECESSARILY.

24 I KNOW IN SOME JURISDICTIONS,  
25 CALIFORNIA IN PARTICULAR, THERE'S ELDER ABUSE

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1 REPORTING LEGISLATION AND IT IS SIMILAR TO THE  
2 CHILD ABUSE REPORTING LEGISLATION THAT WOULD SAY IF  
3 ONE HAS REASONABLE GROUNDS TO BELIEVE OR SUSPECT  
4 THAT ABUSE HAS OR MAY OCCUR, THERE'S AN OBLIGATION  
5 TO REPORT. BUT THAT'S NOT THE CASE IN ONTARIO, WE  
6 HAVE NO COMBINATION TO SPECIFICALLY REPORT ELDER  
7 ABUSE.

8 HOWEVER, THERE IS A MANDATORY  
9 OBLIGATION, AS SHOWN IN NUMBER TWO ON THE POLL,  
10 WHICH IS CORRECT. NUMBER TWO IS CORRECT. THERE IS  
11 A MANDATORY REPORTING OBLIGATION IF THE PERSON IS  
12 LIVING IN A LONG-TERM CARE FACILITY OR RETIREMENT  
13 HOME.

14 SO UNLESS THEY WERE IN THAT SITUATION,  
15 YOU WOULD HAVE NO OBLIGATION TO TAKE ACTION. SO  
16 THERE'S A MANDATORY OBLIGATION IN LONG-TERM CARES  
17 OR RETIREMENT HOMES. IN THIS CASE, THE PERSON IS  
18 IN THEIR OWN HOME AS OPPOSED TO THOSE FACILITIES,  
19 THEREFORE YOU HAVE NO MANDATORY OBLIGATION TO TAKE  
20 ACTION. THAT'S TRUE.

21 CERTAINLY, GIVEN YOUR CONCERN, YOU  
22 COULD -- ONE OF THE THINGS YOU COULD DO IS  
23 ENCOURAGE THE CLIENT TO INVOLVE HER LAWYER OR  
24 CONTACT THE POLICE AND HAVE HER TAKE SOME ACTION ON  
25 HER OWN WITH RESPECT TO THE SITUATION. THAT'S

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1 CERTAINLY A POSSIBILITY. NUMBER THREE IS A  
2 POSSIBILITY.

3 NUMBER FOUR IS NOT REALLY TRUE. YOUR  
4 HANDS ARE NOT NECESSARILY TIED AND THE REASON FOR  
5 THAT WILL BE SHOWN IN NUMBER SIX.

6 SO JUST BECAUSE THE CLIENT REFUSES TO  
7 TAKE SOME ACTION THEN YOU ARE NOT IN A POSITION  
8 WHERE THERE'S ABSOLUTELY NOTHING YOU CAN DO UNLESS  
9 SHE CHANGES HER MIND. THAT'S INCORRECT.

10 NUMBER FIVE IS ALSO INCORRECT. MOST OF  
11 YOU KNEW THAT. WHILE THERE ARE SOME REPORTING  
12 OBLIGATIONS RELATED TO MEDICAL CONDITIONS THAT  
13 MEMBERS OF THE COLLEGE OF PHYSICIAN AND SURGEONS  
14 HAVE, AND THEY HAVE TO MAKE SOME REPORTING  
15 OBLIGATIONS TO THE DEPARTMENT OF TRANSPORTATION AND  
16 SOME OTHER ONES TO THE MEDICAL OFFICER OF HEALTH,  
17 THESE DON'T EXTEND TO OTHER HEALTH PROFESSIONALS.  
18 THE SITUATION WE DESCRIBE HERE IN TERMS OF CONCERN  
19 ABOUT A ELDERLY PATIENT IS NOT ONE OF THOSE, AND  
20 THEREFORE THERE ISN'T NECESSARILY -- THERE ISN'T AN  
21 OBLIGATION ON THE PHYSICIAN TO DO ANYTHING, SAME AS  
22 THERE NO OBLIGATION ON US TO DO ANYTHING. SO WE  
23 CAN'T JUST SIT BACK AND SAY, I'M GLAD I DON'T HAVE  
24 TO WORRY ABOUT THIS BECAUSE A PHYSICIAN WILL HAVE  
25 TO TAKE CARE OF IT.

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1                   NUMBER 6 IS CORRECT. NUMBER 6 THAT WE  
2                   DON'T HAVE A MANDATORY REPORTING OBLIGATION BECAUSE  
3                   THE PERSON SENT IN A REQUIREMENT HOME OR LONG-TERM  
4                   CARE FACILITY. SO WE DON'T HAVE A MANDATORY  
5                   OBLIGATION, BUT UNDER THE SECTION OF PHIPA RELATED  
6                   TO THE DISCLOSURE RELATED TO HARM, WE DO HAVE THE  
7                   PERMISSION -- NOT THE REQUIREMENT -- BUT THE  
8                   PERMISSION TO DISCLOSURE CONCERNS AND WE CAN DECIDE  
9                   WHO WOULD BE THE BEST TO DISCLOSURE CONCERNS TO.  
10                  THE SECTION OF PHIPA DOESN'T SAY WE MUST TELL THE  
11                  POLICE OR TELL ANYONE IN PARTICULAR. IT IS UP TO  
12                  US TO DECIDE SINCE OUR REASON TO DISCLOSE IS TO  
13                  RELEASE OR ELIMINATE THE RISK OF HARM, AND SINCE WE  
14                  RISK CONFIDENTIALITY, WE NEED TO THINK WHO WE CAN  
15                  DISCLOSE TO WHO IS IN THE BEST POSITION TO  
16                  ELIMINATE THAT RISK OF HARM.

17                         SO NUMBER 6 WOULD BE CORRECT  
18                         INFORMATION YOU WOULD HAVE RECEIVED FROM YOUR  
19                         COLLEAGUES.

20                         ALL RIGHT, LET'S MOVE ON TO THE LAST  
21                         ONE.

22                         OKAY. WE'RE CALLING THIS ONE REPLACING  
23                         A LOST REPORT. (READS SCENARIO 10).

24                         LET'S SEE THE POSSIBLE ANSWERS.

25                         WOULD YOU... (READS).

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1                   LET'S PUT UP THE POLL AND DECIDE ON  
2                   THIS LAST QUESTION WHAT WE'RE GOING TO DO WITH THE  
3                   REQUEST FROM THE FATHER.

4                   DID WE GET THE POLL? THAT WAS PRETTY  
5                   FAST. CAN YOU PLEASE PUT UP THE POLL?

6                   ALL RIGHT. SO LET'S TAKE A FEW SECONDS  
7                   FOR EVERYBODY TO DECIDE WHICH ACTION THEY WOULD  
8                   TAKE WITH REGARDS TO THE REQUEST BY THE FATHER.

9                   EVERYBODY HAD A CHANCE TO VOTE? LET'S  
10                  SEE WHAT THE RESULTS LOOK LIKE. ALL RIGHT.

11                  OKAY THE CORRECT RESPONSE TO THIS ONE  
12                  IS NUMBER TWO. AND NUMBER TWO IS THE ONLY ONE THAT  
13                  IS CORRECT. NOW THAT THE MOTHER IS THE CUSTODIAL  
14                  PARENT, I SPECIFICALLY TALKED ABOUT A CHILD WHO IS  
15                  NINE SO THERE'S NO QUESTION WHETHER OR NOT THE  
16                  CHILD IS CAPABLE OF CONSENT, WHICH IS DIFFERENT  
17                  FROM THE FIRST SCENARIO WE TALKED ABOUT A 15 YEAR  
18                  OLD AND WHAT KIND OF CONSENT RIGHTS HE MIGHT HAVE.

19                  IN THIS CASE, IT IS A CUSTODIAL PARENT  
20                  WHO HAS THE CONTROL OF THE FILE OF THIS 9 YEAR OLD  
21                  GIRL, REGARDLESS OF WHO MIGHT HAVE HAD CONTROL OF  
22                  THE FILE EARLIER.

23                  CERTAINLY TWO YEARS AGO WHEN THE CHILD  
24                  WAS BROUGHT IN FOR THE ASSESSMENT, BOTH PARENTS  
25                  WERE INVOLVED AND COULD BE ARGUED THAT EITHER

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1 PARENT COULD HAVE REQUESTED THE INFORMATION. BUT  
2 NOW THAT THAT'S BEEN SETTLED BY THE COURTS AND THE  
3 MOTHER IS THE CUSTODIAL PARENTS, IT IS HER CONSENT  
4 THAT'S REQUIRED.

5 SO NUMBER ONE GETS RULED OUT. JUST  
6 BECAUSE HE WAS INVOLVED AT THE TIME AND HAD SOME  
7 AUTHORITY AT THAT POINT, THAT'S NOW GONE AS FAR AS  
8 THE COURTS ARE CONCERNED.

9 IT MAY SEE APPEALING TO DECIDE WITH  
10 NUMBER THREE THAT WE WILL -- IT'S JUST A  
11 REPLACEMENT REPORT, SO MIGHT AS WELL GIVE IT TO  
12 HIM, BUT THAT WOULD BE RELEASING INFORMATION TO HIM  
13 AND THAT WOULD BE CONTRARY TO NUMBER TWO, WHICH IS  
14 WE NEED THE CONSENT OF THE MOTHER.

15 THE CUSTODIAL PARENT IS THE ONE THAT  
16 HAS THE RIGHT TO -- LOOKING AT NUMBER FOUR. THE  
17 CUSTODIAL PARENT IS THE ONE WHO HAS THE RIGHT TO  
18 CONSENT OR WITHOUT CONSENT OF RELEASE OF  
19 INFORMATION AND NOT THE -- AND THE ACCESS PARENT  
20 DOESN'T HAVE THE AUTHORITY TO REQUEST INFORMATION  
21 DIRECTLY FROM US.

22 SO IN THIS CASE, THIS IS INCORRECT IN  
23 TWO WAYS. ONE IS, JUST BECAUSE HE'S AN ACCESS  
24 PARENT DOESN'T MEAN THAT HE CAN AUTHORIZE THE  
25 RELEASE. AND ALSO, IF HE DID HAVE THE AUTHORITY,

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1 IF HE WAS A CUSTODIAL PARENT AND DID HAVE THE  
2 AUTHORITY, WE WOULDN'T NECESSARILY HAVE TO INSIST  
3 THAT HE COME TO THE OFFICE AND SIGN THE APPROPRIATE  
4 FORM. WE MAY WANT HIM TO SIGN A FORM, BUT THERE'S  
5 NO OBLIGATION ON US TO HAVE ANY SPECIFIC FORM  
6 SIGNED. CERTAINLY A VERBAL CONSENT OR CONSENT  
7 RECEIVED IN SOME OTHER WAY IS ADEQUATE PROVIDED WE  
8 ARE SATISFIED THAT IT IS INFORMED CONSENT.

9 AND NUMBER FIVE IS SIMILAR TO THE OTHER  
10 ONES. IF WE'RE GOING TO DISCLOSE INFORMATION, WE  
11 WOULD NEED CONSENT OF A CUSTODIAL PARENT, WHO IS  
12 THE MOTHER IN THIS CASE, AND WHETHER WE'RE  
13 PROVIDING THE INFORMATION VERBALLY, THAT IS  
14 SPEAKING TO THE FATHER ABOUT THE REPORT AND THE  
15 RECOMMENDATIONS OR WE ARE PROVIDING A COPY OF THAT  
16 REPORT, THOSE ARE CONSIDERED THE SAME UNDER PHIPA.  
17 THAT IS, THAT PROVIDING A COPY OF SOMETHING IN  
18 WRITING OR DISCLOSING INFORMATION VERBALLY, THEY  
19 ARE VIEWED IDENTICALLY AND WE HAVE TO HAVE PROPER  
20 CONSENT TO DO THOSE.

21 OKAY. WELL NOT BAD FOR TIMING AND IT'S  
22 NOW ALMOST 10:30. SO I SEE IN THE Q&A BOX WE HAVE  
23 A FEW QUESTIONS. WE HAVE A BIT OF TIME. WE HAVE  
24 ABOUT 10 MINUTES.

25 SO STEPHANIE, I'M GOING TO ASK

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1           STEPHANIE MORTON, DIRECTOR OF CORPORATE SERVICES  
2           WHO HAS BEEN WATCHING THE Q&A BOX TO ASK SOME OF  
3           THE QUESTIONS THERE. LET'S SEE HOW FAR WE CAN GET  
4           WITH THE QUESTIONS.

5                     >> HI RICK. WE DO HAVE A FEW  
6           QUESTIONS. SOME OF THESE HAVE BEEN ANSWERED, SOME  
7           OF THEM HAVEN'T.

8                     IF YOU HAVE ONE THAT HASN'T, YOU CAN  
9           ALSO PUT THEM IN THERE AND WE WILL TRY TO GET TO  
10          THEM NOW.

11                    HERE'S A COUPLE OF THEM.

12                    REGARDING OUT OF PROVINCE WORK, WHAT IS  
13          CONSIDERED TEMPORARILY LOCATED? IS THERE A  
14          TIMEFRAME? FOR EXAMPLE, SOME OF THE CLIENTS HAVE  
15          COTTAGES IN QUEBEC. DOES THAT MEAN I'M UNABLE TO  
16          PROVIDE SERVICES TO THEM WHILE THEIR IN THEIR  
17          COTTAGE?

18                    RICK MORRIS: UNFORTUNATELY, THAT'S  
19          WHAT IT MEANS. THERE'S NO DEFINITION OR PARAMETER  
20          AROUND TEMPORARY. IF THE PERSON IS NOT IN OUR  
21          JURISDICTION OR IN A JURISDICTION IN WHICH YOU'RE  
22          REGISTERED, THEN YOU CAN'T PROVIDE THEM WITH  
23          SERVICES. YOU USED AN INTERESTING EXAMPLE OF  
24          HAVING A COTTAGE IN QUEBEC. QUEBEC IS ONE OF THE  
25          JURISDICTIONS THAT CURRENTLY SUGGESTS THAT THE

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1 SERVICE IS BEING PROVIDED WHERE THE PRACTITIONER  
2 IS. SO IN THIS CASE, IF YOU'RE IN OTTAWA AND YOUR  
3 CLIENT IS AT A COTTAGE IN MOUNT TREMBLANT, MY  
4 BELIEF IS YOU CAN CONTINUE TO PROVIDE THEM  
5 SERVICES, BUT THAT'S UNUSUAL.

6 AND AT THE SAME TIME WHILE I'M SAYING  
7 THAT YOU HAVE THE OPPORTUNITY TO DO THAT, I WOULD  
8 WANT YOU TO CHECK WITH THE COLLEGE IN QUEBEC AND  
9 MAKE SURE THAT THAT'S -- THAT YOU HAVE THEIR  
10 AUTHORITY TO DO THAT. I BELIEVE YOU WOULD, BUT YOU  
11 HAVE TO CHECK WITH THEM.

12 BUT IF WE'RE NOT TALKING ABOUT QUEBEC,  
13 BUT ANY OTHER JURISDICTION, IF THEY GO TO THEIR  
14 COTTAGE IN SOME OTHER PROVINCE FOR A PERIOD OF  
15 TIME, YOU WOULDN'T BE ABLE TO CONTINUE TO PROVIDE  
16 SERVICES FOR THEM, UNLESS OF COURSE YOU CHECK WITH  
17 THE JURISDICTION AND THAT JURISDICTION SAID, YES  
18 FOR SOME SHORT PERIOD OF TIME OR FOR SOME PERIOD OF  
19 TIME THEY WOULD RECOGNIZE YOUR REGISTRATION IN  
20 ONTARIO AND PERMIT YOU TO DO SO.

21 >> I HAVE ANOTHER ONE REGARDING  
22 DISPOSITION OF RECORDS.

23 IS IT OKAY TO KEEP REPORTS FOR CLIENTS  
24 FOR WHOM YOU HAVE SHREDED THEIR FILE AS THEY HAVE  
25 REACHED THE REQUIREMENT TO MAINTAIN THAT FILE?

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1 THIS WAY SOMEONE CAN AT LEAST ALWAYS ACCESS THEIR  
2 ASSESSMENT REPORT.

3 RICK MORRIS: SURE. THERE'S NO REASON  
4 WHY YOU CAN'T DO THAT.

5 GENERALLY, YOU HAVE TO KEEP IT, YOU  
6 KNOW, IT IS IMPORTANT TO KEEP EVERYTHING UNTIL THE  
7 END OF THE RETENTION PERIOD, BUT IF YOU HAVE A  
8 BELIEF THAT IT MAY BE IMPORTANT TO HAVE YOUR FILE  
9 FOR -- HAVE A COPY OF THE REPORT AVAILABLE TO THE  
10 CLIENT 15 YEARS -- AS AN ADULT CLIENT -- 15 YEARS  
11 AFTER YOU LAST SAW THEM AS OPPOSED TO IT BEING  
12 SHREDDED AT THE 10 YEAR MARK, THAT'S FINE. THAT'S  
13 REALLY YOUR DISCRETION. THERE'S NO REASON WHY YOU  
14 COULDN'T.

15 MY SUGGESTION IS, THOUGH, THAT YOU BE  
16 CONSISTENT IN WHAT YOU'RE DOING. IF YOU DECIDE, AS  
17 IN MY EXAMPLE, THAT YOU'RE GOING TO DO FOR ALL  
18 SEXUAL ABUSE CASES, THAT'S FINE. BUT IF YOU'RE  
19 GOING TO DO IT FOR OTHER REASONS JUST TO HAVE THE  
20 FILE JUST IN CASE -- OR THE REPORTS JUST IN CASE, I  
21 THINK IT IS IMPORTANT THAT YOU DO THAT CONSISTENTLY  
22 FOR YOUR CLIENTS, AS OPPOSED TO SOME CLIENTS YOU  
23 HAVE THE REPORT AND THE REST OF THE FILE IS GONE  
24 AND WITH OTHER CLIENTS, EVERYTHING IS GONE. I  
25 RECOMMEND CONSISTENCY.

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1 >> OKAY. IF WE DEEM THAT A CLIENT --  
2 THIS IS REGARDING ASSESSMENTS AND/OR REQUESTING  
3 ANOTHER ASSESSMENT.

4 IF WE DEEM THAT THE CLIENT WAS ENGAGED  
5 IN INSURANCE FRAUD BY SEEKING ANOTHER ASSESSMENT  
6 WITH THE SOLE PURPOSE OF NOT PROVIDING AN ACCURATE  
7 HISTORICAL INFORMATION, DO WE HAVE A DUTY TO REPORT  
8 HIM TO ANYBODY?

9 RICK MORRIS: I'M GOING TO FIRSTLY  
10 ANSWER THIS ONE BY SAYING, THIS, ALONG WITH SOME OF  
11 THE OTHER QUESTIONS THAT WE DISCUSSED, I WOULD  
12 SUGGEST THAT YOU MIGHT WANT TO GET LEGAL ADVICE  
13 BEFORE YOU TAKE SOME ACTION.

14 BUT I DON'T KNOW OF MY DUTY WE HAVE TO  
15 REPORT ANY KIND OF CRIMINAL ACTIVITY, WHETHER IT'S  
16 INSURANCE FRAUD OR ANYTHING ELSE. CERTAINLY AN  
17 INSURER WOULD WANT TO KNOW ABOUT IT IF YOU'RE  
18 CONCERNED ABOUT INSURANCE FRAUD, WHICH WAS THE  
19 EXAMPLE YOU GAVE.

20 BUT I WOULD SUGGEST THAT BEFORE  
21 REPORTING THAT, YOU GET LEGAL ADVICE BECAUSE YOU  
22 OBVIOUSLY WOULDN'T HAVE A CLIENT'S CONSENT AND A  
23 CASE COULD BE MADE THAT YOU'RE BREACHING  
24 CONFIDENTIALITY BY APPROACHING AN INSURER WHEN I  
25 DON'T KNOW ANYTHING IN THE LEGISLATION THAT SAYS

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1 YOU WOULD BE PROTECTED, AS YOU WOULD BE PROTECTED  
2 WITH CHILD ABUSE REPORTING, YOU ARE PROTECTED WHEN  
3 YOU RELEASE CONFIDENTIAL INFORMATION.

4 IN THIS CASE, I DON'T KNOW ANYTHING  
5 THAT COMES TO THE INSURER THAT WOULD PROTECT YOU IN  
6 THAT WAY. I WOULD SUGGEST YOU GET LEGAL ADVICE  
7 BEFORE YOU TAKE ANY ACTION IN THAT REGARD.

8 >> NEXT QUESTION. IF A MEMBER IS  
9 RETIRED OR RESIGNED AND RECEIVES A SUBPOENA TO GO  
10 TO COURT TO TESTIFY, IS IT MANDATORY TO ATTEND OR  
11 CAN THEY WRITE A LETTER THAT THEY ARE NO LONGER IN  
12 PRACTICE AND NOT ATTEND?

13 RICK MORRIS: ONE IS OBLIGATED TO  
14 ATTEND IF YOU RECEIVE A SUMMONS. HAVING SAID THAT,  
15 YOU COULD WRITE A LETTER TO THE LAWYER WHO GAVE THE  
16 SUMMONS EXPLAINING YOUR PARTICULAR SITUATION AND  
17 SEE WHETHER THE LAWYER WOULD BE WILLING TO HAVE THE  
18 SUMMONS QUASHED. IN THAT CASE YOU WOULDN'T HAVE TO  
19 REPORT TO COURT.

20 BUT IF THE LAWYER WAS NOT WILLING TO  
21 ACCEPT YOUR REASONING, YES, YOU WOULD HAVE TO  
22 ATTEND AT COURT. YOU WOULD THEN BE IN THE POSITION  
23 WHERE RETIRED OR NOT, YOU COULD TESTIFY ABOUT THE  
24 WORK THAT YOU HAD DONE WHILE YOU WERE A MEMBER OF  
25 THE COLLEGE.

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1 IF AS A RESULT OF THE COURT CASE IT WAS  
2 SUGGESTED THAT YOUR INFORMATION IS TWO YEARS OLD  
3 AND THERE'S A REQUEST MADE BY THE LAWYERS OF THE  
4 COURTS FOR YOU TO DO A REASSESSMENT TO UPDATE THE  
5 INFORMATION, THAT IS NOT SOMETHING YOU COULD DO AS  
6 A RETIRED MEMBER. IF YOU'RE GOING TO UNDERTAKE ANY  
7 NEW WORK, YOU WOULD HAVE TO BE REGULAR STATUS  
8 MEMBER OF THE COLLEGE.

9 BUT TO REPORT ON WORK THAT YOU HAD DONE  
10 PRIOR TO RETIREMENT, THAT WOULD BE A REASONABLE  
11 EXPECTATION.

12 >> IN THE FINAL SCENARIO, DOES THE  
13 MOTHER HAVE TO PROVIDE WRITTEN CONSENT TO YOU AND  
14 DO YOU HAVE TO CONTACT HER TO OBTAIN IT.

15 RICK MORRIS: IT IS UP TO YOU WHETHER  
16 YOU WANT TO RECEIVE WRITTEN CONSENT. THAT WOULD  
17 JUST BE YOUR DOCUMENTATION.

18 IF YOU -- IF THE MOTHER PHONES YOU AND  
19 YOU WERE CONFIDENT IT WAS THE MOTHER WHO WAS  
20 PHONING YOU, THEN YOU CAN CERTAINLY RELY ON THE  
21 ORAL CONSENT. WE DO WANT TO DOCUMENT THAT, BUT YOU  
22 CAN RELY ON ORAL CONSENT.

23 IN THE SCENARIO AS PRESENTED, YOU DON'T  
24 HAVE THE OBLIGATION TO CONTACT THE MOTHER. YOU  
25 COULD DO THAT IF YOU WANTED TO, BUT IT WOULD REALLY

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1 BE UP TO THE FATHER TO PROVIDE YOU WITH THE PROPER  
2 CONSENT THAT YOU NEED IN ORDER TO RELEASE THE  
3 INFORMATION.

4 SO IN THIS CASE, THE ONUS WOULD BE ON  
5 THE FATHER TO GET THE MOTHER'S CONSENT, OR HAVE THE  
6 MOTHER'S CONSENT PROVIDED TO YOU.

7 YOU DON'T HAVE AN OBLIGATION TO TAKE  
8 THAT ON IF YOU DON'T WISH TO.

9 AS I SAY, IF YOU DECIDE TO TAKE IT ON  
10 AND YOU CALL THE MOTHER, THAT'S FINE. OR IF THE  
11 FATHER TAKES IT ON AND YOU RECEIVE A PHONE CALL  
12 FROM THE MOTHER AS OPPOSED TO SOMETHING WRITTEN,  
13 YOU CAN ACCEPT THAT AS WELL.

14 WE HAVE A COUPLE MORE MINUTES.

15 >> ONE MORE ON THAT SCENARIO. WHAT'S  
16 THE LIMITS OF WHAT YOU CAN DISCUSS WITH THE FATHER  
17 REGARDING THE CHILD?

18 RICK MORRIS: MY BELIEF IS THE LIMITS  
19 WOULD BE VERY, VERY SMALL. THE FATHER'S ACCESS IN  
20 THIS SITUATION WOULD BE LIMITED TO I THINK PRETTY  
21 WELL NOT BE ALLOWED TO SHARE ANY INFORMATION WITH  
22 THE FATHER. THE FATHER IS NOT THE CUSTODIAL  
23 PARENT. THE FATHER DOESN'T HAVE THE CONSENT TO  
24 ACCESS INFORMATION FROM YOU OR TURNING THAT AROUND,  
25 YOU DO NOT HAVE THE AUTHORITY TO PROVIDE ANY

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1 INFORMATION TO THE FATHER. SO I'D BE VERY HESITANT  
2 TO GET INTO WELL, ONLY PROVIDE A LITTLE BIT OF  
3 INFORMATION AS OPPOSED TO A LOT OF INFORMATION. I  
4 WOULD SAY NO INFORMATION.

5 ONCE AGAIN SPEAK TO A LAWYER OR A  
6 CONCRETE ANSWER, BUT I WOULD EXPECT THAT'S WHAT YOU  
7 WOULD HEAR FROM A LAWYER.

8 WE HAVE ONE MINUTE SO ONE MORE,  
9 STEPHANIE?

10 >> SO THIS IS REGARDING RETENTION.  
11 WHAT'S THE RETENTION PERIOD FOR ADULT CLIENTS?

12 RICK MORRIS: OH, THE RETENTION PERIOD  
13 FOR ADULT CLIENTS IS 10 YEARS PAST THE DATE OF LAST  
14 CONTACT. SO IF THE CLIENT IS OVER 18, IN THIS CASE  
15 WE'RE TALKING ABOUT CLIENTS WHO ARE OVER 18, AND  
16 THE RETENTION PERIOD IS 10 YEARS AFTER THE DATE OF  
17 LAST CONTACT AND WHILE WE'RE ON THE SUBJECT, FOR  
18 CHILDREN, IT IS 10 YEARS PAST THE DATE WHEN THE  
19 CHILD WOULD HAVE TURNED 18. SO BASICALLY UNTIL THE  
20 CHILD IS A 28 YEAR OLD.

21 OKAY, WELL IT IS NOW 10:40, AND  
22 ACCORDING TO OUR SCHEDULE, IT IS NOW TIME FOR A  
23 BREAK.

24 SO WE ARE GOING TO TAKE A 10 MINUTE  
25 BREAK AND WE WILL RETURN AT 10:50 AT WHICH POINT WE

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1 WILL CONTINUE WITH BARRY'S PRESENTATION.

2 SEE YOU IN 10 MINUTES.

3 (BREAK).

4 BARRY GANG: WELCOME BACK, EVERYBODY.

5 I HOPE YOU ARE ALL COMFORTABLE AND HAVE SOMETHING  
6 WARM. AND WE'RE NOW GOING TO TALK ABOUT NAVIGATING  
7 SOME OF THE ETHICAL ISSUES YOU MAY FIND. NEXT  
8 SLIDE PLEASE.

9 THANKS, SO THE PRACTICE ADVISORY  
10 SERVICE HAS BEEN VERY BUSY OVER THE LAST YEAR,  
11 2021. WE GOT ALMOST 2,000 QUERIES AND WHAT YOU SEE  
12 ON THE SCREEN ARE THE DOZEN MOST, I GUESS YOU WOULD  
13 CALL POPULAR QUERIES COMING FROM OUR MEMBERS. AT  
14 THE TOP IT WAS MEMBERS WISHES TO PROVIDE SERVICES  
15 OUTSIDE OF ONTARIO. RICK SPOKE ABOUT THAT.  
16 CONFIDENTIALITY, RICK SPOKE ABOUT THAT.

17 AND YOU CAN SEE THE LIST THERE,  
18 SUPERVISION RECORDS, FEES AND BILLS, ET CETERA, ET  
19 CETERA. IF YOU WANT TO TAKE A LOOK AT WHAT THOSE  
20 WERE LIKE IN MORE DETAIL, YOU CAN TAKE A LOOK AT  
21 THE SLIDES LATER OR MAYBE IT WILL BE PUBLISHED  
22 SOON.

23 WHAT WE'RE GOING TO TALK ABOUT ARE SOME  
24 OF THE -- OR AT LEAST ONE OF THE KINDS OF QUERIES  
25 WHERE PROFESSIONAL JUDGMENT COMES INTO PLAY, WHERE

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1 THE RULES DON'T TAKE YOU DIRECTLY TO THE ANSWER.  
2 NEXT SLIDE PLEASE.

3 SO WE RECENTLY DEVELOPED A NEW RESOURCE  
4 FOR MEMBERS TO TRY TO MAKE IT AS EASY AS POSSIBLE  
5 FOR THEM TO FIND THE KINDS OF ANSWERS THAT THEY  
6 NEED WITH THE FEWEST CLICKS POSSIBLE.

7 IT IS UPDATED REGULARLY, AND INCLUDED  
8 AT THE TOP OF IT AS A REMINDER IS THE ADDRESS FOR  
9 THE PRACTICE ADVISORY SERVICE. QUITE OFTEN WE CAN  
10 HELP BY JUST SIMPLY POINTING PEOPLE TO THE  
11 STANDARDS AND REGULATIONS AND SO ON WHICH WILL TAKE  
12 THEM EASILY TO THE ANSWER BUT SOMETIMES THE RULES  
13 DON'T TAKE PEOPLE RIGHT TO THE FINISH LINE.

14 AND WE HAVE TO SAY TO THEM THAT, YOU  
15 KNOW THIS IS AS FAR AS WE CAN TAKE YOU. THE REST  
16 OF THE ANSWER WILL DEFEND ON YOUR PROFESSIONAL  
17 JUDGMENT. IT IS NOT SOMETHING EVERYONE WANTS TO  
18 HEAR BECAUSE IT IS DIFFICULT AND WE ALL SECOND  
19 GUESS EACH OTHER -- PARDON ME, WELL, WE DO THAT  
20 TOO, BUT WE SECOND GUESS OURSELVES. BUT ULTIMATELY  
21 THE RESPONSIBILITY DOES FALL ON MEMBERS TO APPLY,  
22 YOU KNOW, THE SPECIFIC CIRCUMSTANCES AND SO ON, AND  
23 MAKE A JUDGMENT.

24 NEXT SLIDE PLEASE.

25 WE'RE GOING TO TALK ABOUT ONE SITUATION

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1           TODAY. IT IS A COMPOSITE QUERY. WHAT I'VE TRIED  
2           TO DO IS PUT TOGETHER SOME FACTS -- OR FEATURES OF  
3           SOME OF THE QUERIES WE HAVE GOTTEN RELATED TO DUAL  
4           RELATIONSHIPS. IT IS A COMPOSITE CASE. I HAVE  
5           MADE IT FAIRLY CHALLENGING. IT IS THE KIND OF  
6           THING THAT MOST OF US WON'T GET VERY OFTEN IN OUR  
7           CAREERS. MAYBE IF YOU'RE LUCKY, YOU MAY NEVER GET  
8           SOMETHING LIKE THIS IN YOUR CAREER. IT IS A TOUGH  
9           ONE. THERE'S NO EASY ANSWER. THERE MAY NOT EVEN  
10          BE ANY ONE ANSWER THAT YOU LIKE, AND IT MAY BE ONE  
11          OF THOSE RARE SCENARIOS IN WHICH YOU NEED TO THINK  
12          ABOUT THE LEAST BAD CHOICE TO MAKE.

13                   THERE'S SOME CRITICAL INFORMATION THAT  
14           I WANT EVERYBODY TO BE AWARE OF, IS THAT THERE'S NO  
15           ABSOLUTE PROHIBITION ON HAVING A DUAL RELATIONSHIP.  
16           IT'S SOMETHING THAT WE VERY STRONGLY ADVISE AGAINST  
17           FOR REASONS WE WILL TALK ABOUT SOON, BUT THERE'S NO  
18           ABSOLUTE PROHIBITION. AS I SAID, THIS IS A TOUGH  
19           ONE. WE RARELY HEAR FROM ANYBODY WHEN THINGS ARE  
20           GOING WELL. WE USUALLY HEAR BECAUSE THERE'S A  
21           PROBLEM AND SOMETIMES A DIFFICULT PROBLEM THAT  
22           MAKES PEOPLE ANXIOUS.

23                   SO HERE WE ARE. YOU'RE WORKING WITH  
24           TWO ADULT SIBLINGS, YOU DON'T KNOW THAT BECAUSE  
25           THEY HAVE DIFFERENT LAST NAMES, AND THERE WAS NO

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1 REASON FOR YOU TO THINK THEY WERE RELATED. FOR  
2 ARGUMENT SAKE IN THIS CASE, ONE IS SUFFERING FROM A  
3 MOOD DISORDER AND THEY SOUGHT THERAPY IN THE  
4 CONTEXT OF A WORKPLACE PROBLEM THEY ARE HAVING.

5 THE OTHER ONE WAS REFERRED TO YOU FOR  
6 SUPPORT DURING A MARITAL SEPARATION. POSSIBLE THEY  
7 MIGHT HAVE BORDERLINE PERSONALITY DISORDER.

8 THERE'S NO REASON TO LEAVE THAT EITHER KNOWS YOU  
9 ARE TREATING THE OTHER. YOU'RE JUST CERTAIN OF IT  
10 BECAUSE BOTH CLIENT HAD A PARENT THAT RECENTLY DIED  
11 IN REMARKABLY SIMILAR CIRCUMSTANCES AT THE SAME  
12 TIME AND YOU CHECKED THE OBITUARY AND IT WAS  
13 CRYSTAL CLEAR THEY WERE SIBLINGS. THEY BOTH  
14 STARTED TO TALK ABOUT THE ESTATE, MAKING  
15 ACCUSATIONS OF STEALING AND ASPERSIONS ABOUT THE  
16 OTHER'S CHARACTER AND MENTAL HEALTH. SO FAR  
17 THERE'S A POSITIVE THERAPEUTIC ALLIANCE WITH BOTH  
18 OF THEM, BUT YOU'RE GETTING UNCOMFORTABLE.

19 NEXT SLIDE, PLEASE.

20 SOMETHING THAT COMES WITH OUR ADVICE IS  
21 A BIT OF A DISCLAIMER. IT IS IMPORTANT TO KNOW  
22 THAT THE INFORMATION WE'RE PROVIDING IS NEVER AN  
23 APPROPRIATE SUBSTITUTE FOR ADVICE BY A QUALIFIED  
24 LEGAL PROFESSIONAL. WE AREN'T AUTHORIZED OR  
25 QUALIFIED TO INTERPRET THE LAW. AND IF IT COMES

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1 DOWN TO WHAT A LAW MEANS, WE WILL USUALLY TELL YOU  
2 TO GET SOME INDEPENDENT LEGAL ADVICE.

3 THE OTHER THING THAT'S IMPORTANT IS THE  
4 INFORMATION IS PROVIDED IN RESPONSE TO A SPECIFIC  
5 INQUIRY. WE SOMETIMES HEAR FROM PEOPLE WHO ARE  
6 SHARING THE ADVICE WE GIVE THEM AND IT MIGHT NOT BE  
7 APPLICABLE IN OTHER PEOPLE'S CIRCUMSTANCES. THAT'S  
8 REALLY IMPORTANT TO REMEMBER.

9 AND IT'S REALLY MADE TO SUPPORT YOU IN  
10 EXERCISING YOUR OWN PROFESSIONAL JUDGMENT. THERE  
11 MIGHT BE ARGUMENTS FOR DIFFERENT RESOLUTIONS AND  
12 THE VALUES IN ENSURING THAT YOU PARSED OUT WHAT YOU  
13 BELIEVE IS THE BEST OPTION FOR THAT PARTICULAR  
14 CLIENT. SO NEXT SLIDE PLEASE.

15 I'M GIVING YOU SOME INFORMATION FROM A  
16 BOOK THAT I READ NOT TOO LONG AGO BY DANIEL  
17 KAHNEMAN, WHO IS A BEHAVIOURAL ECONOMIST. HE USED  
18 A PHRASE I REALLY LIKED, IN MY CONTINUOUS QUEST TO  
19 DEFINE PROFESSIONAL JUDGMENT.

20 HE SAID THAT JUDGMENT ALLOWS FOR THE  
21 POSSIBILITY THAT REASONABLE AND COMPETENT PEOPLE  
22 MIGHT DISAGREE. AND HE CALLED IT BOUNDED  
23 DISAGREEMENT, WHICH I THOUGHT WAS A GREAT TERM.

24 REALLY WHAT WE DO IS HELP YOU DELINEATE  
25 THOSE BINDS WITH THE UNDERSTANDING THAT, YOU KNOW,

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1           YOU MAY NOT ALL AGREE WITH EACH OTHER. YOU MAY NOT  
2           EVEN AGREE WITH US. THAT'S FINE AS LONG AS YOU CAN  
3           MAKE A GOOD ARGUMENT FOR THE OPTION YOU WOULD LIKE  
4           TO TAKE.

5                         NEXT SLIDE PLEASE.

6                         SO SOMETIMES WHEN PEOPLE CONSULT THE  
7           STANDARDS, THEY MISS SOME OF THE GENERAL  
8           OVERARCHING THINGS, AND WHAT'S AT THE VERY  
9           BEGINNING OF THE STANDARDS IS A HIERARCHY OF RULES,  
10          AND IT'S NOT THAT THESE THINGS NECESSARILY OFTEN  
11          CONFLICT WITH EACH OTHER, BUT WHEN YOU'RE LOOKING  
12          AT THE RULES, THIS IS THE ORDER, LEGISLATION,  
13          REGULATIONS UNDER THE LEGISLATION, THE STANDARDS,  
14          THE CANADIAN PSYCHOLOGICAL CANADIAN CODE OF ETHICS  
15          FOR PSYCHOLOGISTS AND THEN OTHER ETHICAL  
16          GUIDELINES.

17                        AND I THOUGHT IT WAS IMPORTANT TO  
18          REFRESH EVERYBODY'S MEMORY ABOUT THE CANADIAN CODE  
19          OF ETHICS FOR PSYCHOLOGISTS, THE RELATIVELY NEW  
20          EDITION SAYS IN THE PREAMBLE BECAUSE I THINK IT IS  
21          HELPFUL.

22                        THEY SAY SOME ETHICAL ISSUES AREN'T  
23          EASILY RESOLVED. THEY CAN BE EMOTIONAL DISTRESSFUL  
24          AND REQUIRE TIME CONSUMING DELIBERATION. THEY TALK  
25          ABOUT A HIERARCHY THEY PUT FORWARD IN TERMS OF THE

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1 PRINCIPLES WHICH YOU CAN SEE THERE AND CONSULT  
2 LATER. AND, YOU KNOW, WITHIN THIS PREAMBLE, THEY  
3 TALK ABOUT THE FACT THAT IN SOME SITUATIONS THAT  
4 ARE VERY COMPLEX, YOU NEED TO CONSIDER OTHER  
5 FACTORS AND ENGAGE A CREATIVE, SELF-REFLECTIVE AND  
6 DELIBERATIVE PROCESS THAT INCLUDES A CONSIDERATION  
7 OF MANY OTHER FACTORS.

8 NEXT SLIDE PLEASE.

9 WHAT I HAVE PUT TOGETHER IS ANOTHER  
10 FAIRLY SIMPLE COMMON SENSE APPROACH, AND, YOU KNOW,  
11 GOING BACK TO FIRST PRINCIPLES, IT IS IMPORTANT TO  
12 AIM FOR WHAT PRESENTS THE LOWEST RISK OF HARM FOR  
13 THE CLIENT AND THEN THINK ABOUT WHAT'S GOING TO  
14 GIVE THE CLIENT MAXIMUM BENEFIT. AND THEN TO AVOID  
15 BREACHES OF STANDARDS -- STATUTES AND STANDARDS.

16 IT'S SOMETIMES HELPFUL ALSO TO CONSIDER  
17 WHAT YOU'D SAY IF THERE WAS A COMPLAINT, AND IT CAN  
18 BE HELPFUL TO KNOW THAT YOU HAVE A GOOD EXPLANATION  
19 FOR WHAT YOU ULTIMATELY DECIDE TO DO.

20 THIS IS SORT OF A GENERAL FORMULA FOR  
21 HOW THE ICRC, THE INQUIRIES COMPLAINTS AND REPORTS  
22 COMMITTEE, THE COMPLAINTS COMMITTEE, OR A CIVIL  
23 COURT MIGHT CONSIDER. IS THIS SOMETHING THAT A  
24 REASONABLE PROFESSIONAL, NOT THE PERFECT ONE,  
25 HAVING THE SAME INFORMATION AS YOU DID, WOULD HAVE

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1 DONE UNDER THE SAME CIRCUMSTANCES?

2 SO THOSE ARE ALL -- THOSE WOULD TELL  
3 YOU THERE'S LOTS OF MOVING PIECES TO THE KINDS OF  
4 DECISIONS YOU WOULD MAKE. SO REASONABILITY MEANS  
5 GENERALLY IS THERE A COHERENT LOGIC THAT WOULD TAKE  
6 YOU FROM THE PROBLEM TO THE SOLUTION.

7 AND SOMETIMES -- AND I FIND THIS MYSELF  
8 WHEN I'M ANSWERING QUERIES -- THAT IT HELPS TO  
9 WRITE IT OUT. YOU MIGHT FIND FROM REPORT WRITING  
10 THAT SOMETIMES YOU GET A DIFFERENT ANSWER WRITING  
11 IT OUT THAN YOU WOULD SIMPLY THINKING ABOUT IT.

12 MAKE SURE YOU'RE TAKING ALL THE  
13 RELEVANT INFORMATION YOU HAVE CURRENTLY UNDER  
14 CONSIDERATION, AND THINK ABOUT THE CIRCUMSTANCES  
15 BECAUSE THE CIRCUMSTANCES ARE REALLY IMPORTANT.  
16 IT'S GOING TO MATTER WHETHER YOU'RE IN A SMALL  
17 RURAL COMMUNITY WHERE YOU'RE THE ONLY ONE WITHIN  
18 HUNDREDS OF MILES WITH A CERTAIN COMPETENCE TO DO  
19 SOMETHING OTHER PEOPLE MIGHT NOT BE ABLE TO DO.  
20 VERSUS A METROPOLIS WHERE THERE MIGHT BE HUNDREDS  
21 OF PEOPLE WHO CAN PROVIDE THE SAME SERVICE.

22 IS IT A NEW CLIENT? IS IT SOMEBODY YOU  
23 HAVE BEEN SEEING FOR A NUMBER OF YEARS? IS THIS A  
24 RESILIENT CLIENT OR SOMEBODY WHO IS VULNERABLE  
25 EITHER GENERALLY OR IN THE CIRCUMSTANCES?

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1                   THOSE ARE SOME THINGS YOU WANT TO  
2                   CONSIDER.

3                   NEXT SLIDE PLEASE.

4                   IN CONSIDERING A PARTICULAR CASE, AND  
5                   IN THIS CASE WE'RE GOING TO USE THESE  
6                   CONSIDERATIONS, IT'S A GOOD IDEA TO FRAME THE  
7                   CONSIDERATIONS. AND THERE'S NOTHING FORMAL OR  
8                   SCIENTIFIC ABOUT FRAMING THE CONSIDERATIONS. ANY  
9                   OF YOU MAY FRAME THE CONSIDERATIONS DIFFERENTLY.  
10                  THAT'S FINE. THIS IS JUST A MODEL TO HELP WITH.  
11                  YOU MAY FRAME IT DIFFERENTLY BASED ON YOUR OWN  
12                  THEORETICAL PERSPECTIVES OR YOUR OWN MODELS, AND  
13                  THEY MAY BE NO LESS LEGITIMATE THAN THE ONES I'M  
14                  GOING TO PRESENT.

15                  THE FIRST ONE I THOUGHT ABOUT IS  
16                  OBJECTIVITY AND THE FACT THAT INFORMATION OBTAINED  
17                  FROM ONE OF THE CLIENTS ABOUT THE OTHER REGARDLESS  
18                  OF WHETHER IT WAS GOOD INFORMATION OR NOT COULD  
19                  AFFECT YOUR OBJECTIVITY.

20                  EVEN THE PERCEPTION OF IT, THE  
21                  PERCEPTION OF A LACK OF OBJECTIVITY ON YOUR PART  
22                  COULD BE AS DAMAGING AS THE ACTUAL LACK OF  
23                  OBJECTIVITY. IN AN ADVERSARIAL SITUATION, COULD  
24                  YOUR OBJECTIVITY BE CHALLENGED? IF THAT HAPPENED,  
25                  EVEN IF YOU HAD BEEN PERFECTLY OBJECTIVE -- WHICH

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1 IS ALWAYS A QUESTION IN ANY CASE -- COULD ANY  
2 PERCEPTION OF LACK OF OBJECTIVITY ACTUALLY BE  
3 ADVERSE TO THE INTERESTS OF YOUR CLIENT?

4 SO IN LOOKING AT THIS ONE -- NEXT SLIDE  
5 PLEASE -- IN LOOKING AT THE ISSUE OF OBJECTIVITY,  
6 IT'S KIND OF HARD TO FIND SORT OF A HARD AND FAST  
7 LAW THAT APPLIES TO IT OR THE REGULATIONS THAT COME  
8 INTO PLAY BUT THE STANDARDS ARE IMPORTANT TO LOOK  
9 AT. SO WHAT COMES TO FIND IS BIAS AND THE LACK OF  
10 OBJECTIVITY. WE TALKED A BIT ABOUT THIS.

11 WHEN WE TALK ABOUT BIAS, THERE'S LOTS  
12 OF DEFINITIONS AND NO SORT OF FORMAL TERM FOR YOU  
13 TO RELY ON. BUT IN THE ABSENCE OF AN OFFICIAL  
14 DEFINITION, THERE ARE GOOD DICTIONARY DEFINITIONS  
15 THAT ARE LARGELY SIMILAR, BUT WHAT SEEMED RIGHT TO  
16 ME WAS IF YOU'RE APPLYING A DISPROPORTIONATE WEIGHT  
17 IN FAVOUR OF OR AGAINST AN IDEA OR THING, IN A WAY  
18 THAT MIGHT BE SEEN AS CLOSED MINDED, PREJUDICIAL OR  
19 UNFAIR.

20 SOME PEOPLE WHEN THEY CALL US CONFUSE  
21 IT WITH A CONFLICT OF INTEREST, THAT'S DIFFERENT.  
22 BUT IN THIS SCENARIO THERE'S NO OBVIOUS CONFLICT OF  
23 INTEREST. CONFLICT OF INTEREST IS WHEN THERE'S A  
24 DIRECT OR INDIRECT BENEFIT ATTACHED TO A DECISION  
25 BY THE DECISION MAKER.

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1                   IN THIS CASE, WE'RE NOT TALKING ABOUT A  
2                   DECISION BASED ON AN EXPECTATION OF PERSONAL  
3                   BENEFIT, JUST UNFAIRNESS IS WHAT WE'RE TALKING  
4                   ABOUT.

5                   NEXT SLIDE PLEASE.

6                   THE CPA CODE OF ETHICS SAYS SOME REALLY  
7                   GOOD THINGS ABOUT THIS. THEY TALK ABOUT AVOIDING  
8                   DUAL RELATIONSHIPS THAT AREN'T JUSTIFIED. WE'RE  
9                   TALKING ABOUT MANAGING DUAL RELATIONSHIPS WHEN YOU  
10                  CAN'T AVOID THEM.

11                  AND ALSO REMINDING PEOPLE THAT IT IS A  
12                  GOOD IDEA TO SEEK CONSULTATION WHEN HAVING A HARD  
13                  DECISION ABOUT WHAT TO DO.

14                  NEXT SLIDE PLEASE.

15                  THE NEXT CONSIDERATION THAT I WOULD  
16                  TAKE INTO ACCOUNT, SOME OF YOU MAY FIND OTHER ONES,  
17                  IS CONFIDENTIALITY.

18                  YOU HAVE TWO INDIVIDUALS GIVING YOU  
19                  INFORMATION WITH THE UNDERSTANDING THAT IT WILL BE  
20                  KEPT PRIVATE, BUT, YOU KNOW, IF YOU'RE GETTING  
21                  INFORMATION, YOU COULD INADVERTENTLY DISCLOSE IT.

22                  BUT EVEN IF YOU DIDN'T DISCLOSE IT, IT  
23                  MIGHT FIND ITS WAY INTO YOUR DECISION MAKING. EVEN  
24                  IF YOU CAN ACTUALLY KEEP THE INFORMATION FROM THE  
25                  OTHER CLIENT, YOU CAN'T REALLY ERASE IT FROM YOUR

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1 MEMORY WHEN YOU'RE MAKING CLINICAL DECISIONS.

2 NEXT SLIDE PLEASE.

3 SO WHEN WE'RE TALKING ABOUT

4 CONFIDENTIALITY, THERE ARE ACTUALLY SOME ABSOLUTES

5 IN LAW. MOST OF YOU WILL BE WORKING UNDER THE

6 PERSONAL HEALTH INFORMATION PROTECTION ACT, PHIPA.

7 ALTHOUGH IN SOME CASES, SOME OF YOU MAY WORK UNDER

8 DIFFERENT LEGISLATION, AND IF YOU ARE, YOU WILL

9 ALREADY KNOW THAT. BUT, YOU KNOW, THE PROCESS FOR

10 THINKING THIS THROUGH MIGHT BE A LITTLE BIT

11 DIFFERENT.

12 THE IMPORTANT THING ABOUT PHIPA IS TO

13 REMEMBER -- AND NOT EVERYBODY ALWAYS DOES -- THAT

14 YOU NEED CONSENT TO NOT ONLY DISCLOSE PERSONAL

15 INFORMATION, BUT ALSO TO COLLECT AND USE IT.

16 THAT'S SOMETHING THAT DOES COME INTO PLAY IN THIS

17 KIND OF A SCENARIO.

18 NEXT SLIDE PLEASE.

19 THE STANDARDS ALSO SPEAK TO THIS. AND

20 THEY PRETTY MUCH MIMIC WHAT PHIPA SAYS, ALTHOUGH

21 THEY DO HAVE A PURPOSE BECAUSE THEY MAY BROADEN THE

22 RULES AS YOU MAY THINK OF THEM, IF THE MEMBER'S

23 WORKING UNDER SOME OTHER LEGISLATION THAN PHIPA,

24 THAT ISN'T AS SPECIFIC AS PHIPA ABOUT THIS.

25 THE NEXT CASE CONSIDERATION THAT I

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1 MIGHT USE IS THE CLINICAL. IT'S THE PLACE WHERE  
2 JUDGMENT IS MOST APPARENT. SIGH CREDITS ALMOST  
3 ALWAYS HAVE A WAY OF BEING UNCOVERED, AND THEY CAN  
4 AFFECT YOUR CLIENT'S TRUST IN YOUR INTEGRITY AND IN  
5 YOUR PROFESSIONAL COMMITMENT TO THEM.

6 AND YOU KNOW, THAT'S THE KIND OF THING  
7 THAT MAY HAPPEN IF ULTIMATELY THIS SECRET ABOUT  
8 INFORMATION YOU HAVE FROM THE OTHER CLIENT BECOMES  
9 UNCOVERED.

10 IT MAY ACTUALLY HAVE QUITE A BIG IMPACT  
11 IN THAT THEY MAY NOT TRUST YOU ANYMORE OR EVEN WANT  
12 TO ENGAGE WITH ANOTHER NEEDED MENTAL HEALTH  
13 CLINICIAN.

14 IN SOME CASES, IT MIGHT PROVIDE MISSED  
15 OPPORTUNITIES TO PROTECT DEMONSTRATE APPROPRIATE  
16 BOUNDARIES IF THAT'S AN ISSUE THAT'S RELEVANT TO  
17 YOUR SERVICE.

18 NEXT SLIDE PLEASE.

19 THERE ARE SOME OPTIONS, AND YOU MIGHT  
20 GENERATE DIFFERENT OPTIONS, AND THAT'S FINE  
21 DEPENDING ON YOUR OWN PROCESS. BUT THIS IS WHAT  
22 I'M THINKING OF USING. WHAT IMMEDIATELY CAME TO ME  
23 WERE, ACT AS IF YOU DID NOT KNOW. BURY YOUR HEAD  
24 IN THE SAND AND PROCEED.

25 YOU CAN CONSIDER TELLING BOTH CLIENTS

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1 AND PROMISING SECRECY. YOU COULD TELL BOTH CLIENTS  
2 BUT DOING SO AFTER SEEKING PERMISSION TO COLLECT,  
3 USE, AND DISCLOSE THE INFORMATION.

4 YOU COULD CONSIDER TERMINATING WITH ONE  
5 CLIENT WITHOUT LETTING EITHER OR BOTH KNOW ABOUT  
6 THE OTHER. AND I SAY EITHER OR BOTH BECAUSE THE  
7 CONSIDERATIONS ARE VERY SIMILAR IN BOTH SCENARIOS.

8 YOU COULD CONSIDER TERMINATING WITH ONE  
9 CLIENT BUT LETTING EITHER OR BOTH KNOW.

10 OR YOU COULD TERMINATE WITH BOTH  
11 WITHOUT DISCLOSING THE REASON.

12 SO I HAVE A QUICK POLL, HOPEFULLY WE  
13 HAVE TIME TO LOOK AT POLL RESULTS, BUT I'M  
14 INTERESTED IF YOU WOULDN'T MIND PUTTING UP THE POLL  
15 JUST TO SEE AT THE BEGINNING WHO WOULD CHOOSE TO DO  
16 WHAT. IN THE INTERESTS OF TIME, IF WE COULD GET  
17 MOST OF THE RESULTS, IF NOT ALL OF THEM, THAT WOULD  
18 BE REALLY HELPFUL. LOOKS LIKE PEOPLE ARE TAKING A  
19 WHILE TO THINK ABOUT THIS ONE.

20 I'M GLAD TO KNOW IT IS A TOUGH CALL.

21 WHERE I PLACE THE X'S, I WANT TO PLACE  
22 THE STRICTEST IDEA BUT IT IS POSSIBLE THAT YOU  
23 WILL, DEPENDING ON THE CIRCUMSTANCES, AND THE WAY  
24 YOU LOOK AT RISK TOLERANCE, YOU MIGHT PUT THE X'S  
25 IN DIFFERENT PLACES. IT IS POSSIBLE THE

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1 OBJECTIVITY COULD BE COMPROMISED. AND YOU CAN  
2 DEVELOP SOME UNFAIR BIASES, AND IF SO, THERE COULD  
3 BE SOME SEVERE CONSEQUENCES IN TERMS OF OUTCOME TO  
4 THE WORK YOU'RE DOING. IT IS POSSIBLE YOU COULD BE  
5 COLLECTING SENSITIVE INFORMATION ABOUT ONE WITHOUT  
6 THE OTHER, WITHOUT HAVING THE CONSENT TO DO THAT,  
7 OR CONSENT TO DISCLOSE IT, AND YOU COULD POSSIBLY  
8 MAKE CLINICAL DECISIONS THAT COULD CARRY AN  
9 UNACCEPTABLE RISK OF HARM. THIS IS A HIGH RISK  
10 OPTION. IN SOME CASES, YOU COULD DECIDE TO TAKE  
11 IT, BUT READING IN BETWEEN THE LINES, YOU WOULD  
12 READ THAT WE WOULD STRONGLY URGE YOU TO AVOID THIS  
13 ONE.

14 NEXT SLIDE PLEASE. YOU COULD CONSIDER  
15 TELLING BOTH CLIENT AND PROMISE SECRECY. IT COULD  
16 IMPAIR OBJECTIVITY, ESPECIALLY IF THEY KNOW YOU ARE  
17 TALKING TO THE OTHER ONE. THEY COULD ASSUME YOU  
18 ARE CHOOSING A SIDE WHEN THEY BRING THEIR SIBLING  
19 RELATED ISSUES TO THE THERAPY.

20 CONFIDENTIALITY IS A CERTAIN PROBLEM  
21 BECAUSE IT IS A BIT OF A CATCH 22. YOU CAN'T TELL  
22 THEM UNLESS YOU HAVE THEIR PERMISSION. THAT REALLY  
23 PUTS YOU IN AN IMPOSSIBLE SITUATION. I'M SAYING  
24 THAT THAT WOULD BE MORE THAN PROBABLE CERTAIN, AND  
25 BREAKING THE LAW.

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1                   IT IS STILL POSSIBLE AND EVEN PROBABLE  
2                   THAT THERE WOULD BE CLINICAL IMPLICATIONS IN  
3                   ADDITION TO THE ONE WE SPOKE ABOUT BEFORE. IT  
4                   MIGHT BE DIFFICULT TO MAINTAIN THE APPROPRIATE  
5                   FOCUS.

6                   NEXT PAGE, PLEASE, ONE OR BOTH IF YOU  
7                   TELL THEM, THERE'S STILL THE SAME KINDS OF  
8                   OBJECTIVITY CHALLENGES. YOU ARE STILL IN THE SAME  
9                   SORT OF CATCH 22 AROUND CONFIDENTIALITY. WHEN YOU  
10                  TALK ABOUT CLINICAL ISSUES, ALL OF WHAT WE JUST  
11                  TALKED ABOUT APPLY.

12                  (OONE MOMENT, PLEASE) .

13                  (ADDRESSING TECHNICAL DIFFICULTIES) .

14                  SO THE PROFESSIONAL MISCONDUCT  
15                  REGULATION DOES ALLOW YOU TO TERMINATE FOR ANY  
16                  REASON AS LONG AS REASONABLE METHODS ARE TAKES TO  
17                  ARRANGE ALTERNATIVE SERVICES OR THE CLIENT IS GIVEN  
18                  A REASONABLE OPPORTUNITY TO ARRANGE ALTERNATE  
19                  ARRANGEMENTS. YOU MIGHT FIND YOURSELF IN THIS  
20                  SITUATION OR ANOTHER ONE WHERE YOU WOULD LIKE TO  
21                  SAY, I WOULD VERY MUCH LIKE TO CONTINUE, BUT I'M  
22                  UNABLE TO DO THAT OR DISCLOSE THE REASON, BUT REST  
23                  ASSURED IT HAS NOTHING TO DO WITH YOU OR MY  
24                  RELATIONSHIPS WITH YOU. IT IS MORE REASONS BEYOND  
25                  EITHER OF OUR CONTROL.

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1                   SO LET'S DO A QUICK POLL, I KNOW WE'RE  
2                   RUNNING SHORT ON TIME, I'M ONE MINUTE OVER BUT  
3                   PEOPLE MAY WANT TO SEE WHAT OTHER PEOPLE ARE  
4                   THINKING. SO I HOPE YOU WILL FORGIVE ME FOR THAT.  
5                   BUT CAN WE HAVE THE POLL AGAIN AND THEN WE WILL  
6                   MOVE ON. I CAN'T SEE THE Q&AS BUT I CAN SEE A  
7                   BUNCH HAVE DEVELOPED, AND WE WILL TRY TO ANSWER  
8                   SOME OF THEM LATER.

9                   AND AS I SAID BEFORE, IF WE CAN'T GET  
10                  TO YOUR QUESTIONS TODAY, IF YOU WILL SEND THEM TO  
11                  THE BWS QUESTIONS E-MAIL ADDRESS, I WILL TRY AND  
12                  ANSWER THEM. SO THINGS DID CHANGE. WE'RE NOT  
13                  GOING TO GO TO THE NEXT SLIDE. I THANK YOU ALL FOR  
14                  LISTENING AND I WILL TURN IT OVER TO ZIMRA NOW.

15                 ZIMRA YETNIKOFF: GOOD MORNING,  
16                 EVERYONE. THANK YOU FOR BEING HERE THIS MORNING.  
17                 AND THANK YOU RICK AND BARRY FOR SOME INTERESTING  
18                 AND THOUGHT PROVOKING PRESENTATIONS. I HOPE  
19                 EVERYBODY HAS THE STAMINA TO PRESS ON FOR THIS LAST  
20                 PRESENTATION THIS MORNING.

21                 I WANT TO SPEAK ABOUT SOME LESSONS  
22                 LEARNED THROUGH THE COMPLAINTS PROCESS AND  
23                 PARTICULARLY GETTING BEHIND SOME OF THE STATISTICS  
24                 WE REPORT TO COUNCIL AND IN ANNUAL REPORTS, AND  
25                 PARTICULARLY WITH RESPECT TO ONE ALLEGATION THAT

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1 COMES UP A LOT BOTH IN THIS YEAR VOLUME AND  
2 REMEDIAL OUTCOMES, AND THAT'S ADEQUATE INFORMATION  
3 TO SUPPORT CONCLUSIONS.

4 PROBABLY WHAT MANY OF YOU ARE THINKING  
5 WHEN YOU SEE THESE STATISTICS AND CHARTS THAT WE  
6 PREPARE IN THE REPORTS TO COUNCIL AND THE ANNUAL  
7 REPORTS ARE, WHAT IS THE NARRATIVE BEHIND THESE  
8 NUMBERS? WHAT'S BEING COMPLAINED ABOUT? WHAT'S  
9 THE RESPONSE, WHAT THE INQUIRIES COMPLAINTS AND  
10 REPORTS COMMITTEE MAKING OF THESE COMPLAINTS AND  
11 RESPONSES AND WHAT ARE THEY THINKING WHEN THEY GET  
12 TO THE RESULTS THAT THEY DID?

13 NEXT SLIDE PLEASE.

14 I WANTED TO GIVE A LITTLE BIT OF  
15 BACKGROUND ABOUT HOW AND WHY WE TRACK ALLEGATIONS.  
16 FIRST, FOR EVERY COMPLAINT AND REPORT, WE DO KEEP  
17 TRACK OF THE DIFFERENT ALLEGATIONS THAT COME UP,  
18 AND ON AVERAGE THERE ARE ABOUT THREE ALLEGATIONS  
19 PER COMPLAINT OR REPORT.

20 THERE'S A RANGE. SOMETIMES ALLEGATIONS  
21 ARE ONLY ONE PER COMPLAINT. WE HAVE SEEN UP TO 12  
22 RECENTLY. ON THE HIGHER END IT IS USUALLY 7 OR 8  
23 BUT ON AVERAGE EACH COMPLAINT OR REPORT CONTAINS 3  
24 ALLEGATIONS.

25 THE OUTCOME OF EACH ALLEGATION IS

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1 TRACKED AS WELL AS THE OVERALL COMPLAINT OUTCOME,  
2 SO FOR EXAMPLE, IF THERE'S A COMPLAINT REGARDING  
3 PSYCHO THEY WERE SERVICES, THERE COULD BE  
4 ALLEGATIONS REGARDING CONSENT, CONFIDENTIALITY AND  
5 PROVIDING RECORDS UPON REQUEST. IN THIS EXAMPLE I  
6 HAVE JUST COME UP WITH, THE OUTCOMES CAN BE ADVICE,  
7 TAKE NO FURTHER ACTION AND ADVICE RESPECTIVELY.

8 WHAT YOU'LL SEE IN THE REPORTS WOULD BE  
9 THE OVERALL CASE OUTCOME IS ADVICE, BUT WE ALSO  
10 TRACK THOSE ALLEGATIONS THAT RESULT IN REMEDIAL  
11 OUTCOMES, SO WE ARE ALSO TRACKING THE ALLEGATIONS  
12 THAT RESULTED IN ADVICE TO THE MEMBER. NEXT SLIDE  
13 PLEASE.

14 A LITTLE BIT MORE ABOUT WHAT WE DO  
15 REPORT TO COUNCIL AND IN THE ANNUAL REPORT, HOW  
16 MANY COMPLAINT ARE RECEIVED IN THAT QUARTERLY  
17 PERIOD AND IN THE YEARLY PERIOD FOR THE ANNUAL  
18 REPORT AND HOW MANY REGISTRARS REPORTS ARE MADE, AS  
19 WELL AS HOW MANY COMPLAINTS AND REPORTS ARE  
20 FINALIZED.

21 ESPECIALLY FOR THE REPORTS TO COUNCIL,  
22 THAT QUARTERLY PERIOD, THERE'S LITTLE TO NO OVERLAP  
23 BETWEEN THESE TWO GROUPS OF CASES, SO THE  
24 COMPLAINTS RECEIVED WOULD BE DIFFERENT THAN THE  
25 COMPLAINTS THAT ARE FINALIZED IN THAT PERIOD OF

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1 TIME.

2 WE'RE ALSO REPORTING ON THE OUTCOMES OF  
3 COMPLAINTS AND REPORTS AND ALSO HOW MANY SPECIFIC  
4 ALLEGATIONS THERE WERE IN RELATION TO THESE  
5 COMPLAINTS AND REPORTS AND SPECIFICALLY WHICH  
6 RESULTED IN REMEDIAL OUTCOMES.

7 OBSTRUCTION ARE ALWAYS DETERMINED WITH  
8 REFERENCE TO RISK TO THE PUBLIC. LET'S GO TO THE  
9 NEXT SLIDE PLEASE.

10 MANY OF YOU MAY HAVE SEEN THIS ALREADY.  
11 THIS RISK ASSESSMENT FRAMEWORK IS AVAILABLE ON THE  
12 COLLEGE WEBSITE AND IS ALSO PROVIDED TO BOTH THE  
13 MEMBER AND THE COMPLAINANT IN EVERY COMPLAINT THAT  
14 COMES TO THE COLLEGE'S ATTENTION.

15 WHAT THIS RISK ASSESSMENT FRAMEWORK  
16 SHOWS IS HOW THE ICRC IS LOOKING AT ALLEGATIONS,  
17 EACH ALLEGATION IN EACH COMPLAINT TO DECIDE THE  
18 MOST APPROPRIATE OUTCOME. AND THERE'S IMPACT AND  
19 POTENTIAL RISKS, FOR IMPACT AND POTENTIAL RISK TO  
20 THE CLIENT AND OTHERS.

21 FOR CURRENT RISK, THE ICRC IS LOOKING  
22 AT THE CLIENT'S CONDUCT HISTORY IF THERE IS ONE.  
23 WHAT PRACTICES, PROCESSES AND/OR SYSTEMS THE MEMBER  
24 MIGHT HAVE IN PLACE. AND ALSO THE MEMBER'S  
25 AWARENESS OF ANY IDENTIFIED PRACTICE CONCERNS.

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1                   AND AT THE BOTTOM OF THE FRAMEWORK, YOU  
2                   CAN SEE THAT AS THE RISKS IDENTIFIED GROW STRONGER,  
3                   THE OUTCOME IS LIKELY TO BE MORE SEVERE. SO FROM  
4                   TAKING NO FURTHER ACTION TO A REFERRAL TO THE  
5                   DISCIPLINE COMMITTEE POSSIBLY WHERE HIGH RISKS ARE  
6                   IDENTIFIED OVERALL.

7                   NEXT SLIDE PLEASE.

8                   IMPORTANT TO EMPHASIZE THAT IN LOOKING  
9                   AT THESE RISK AND THE RISK ASSESSMENT FRAMEWORK,  
10                  THE ICRC IS REALLY LOOKING AT PUBLIC PROTECTION AND  
11                  WHERE RISKS ARE IDENTIFIED, MINIMIZING THE RISKS TO  
12                  THE PUBLIC.

13                 WHERE THE ICRC DECIDES THAT ADVICE  
14                 WOULD BE APPROPRIATE, IT'S NOT A SUGGESTION THAT  
15                 THERE WAS A BREACH OF STANDARDS. ADVICE IS A  
16                 SUGGESTION FROM THE ICRC TO THE MEMBER TO ASSIST  
17                 THE MEMBER IN AVOIDING THE RISKS IDENTIFIED IN THE  
18                 FUTURE. WHERE THE ICRC HAS SOME CONCERNS THE  
19                 STANDARDS MIGHT NOT HAVE BEEN MET, THERE ARE  
20                 ADDITION DISPOSITIONS AVAILABLE TO THE ICRC TO  
21                 ASSIST IT IN ENSURING THAT THE MEMBER MEETINGS  
22                 STANDARDS IN THE FUTURE SHORT OF A REFERRAL TO  
23                 DISCIPLINE. THESE INCLUDE UNDERTAKINGS, CAUTIONS  
24                 AND SCERPS.

25                 UNDERTAKING CAN BE A NUMBER OF THINGS,

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1 AN AGREEMENT BETWEEN THE COLLEGE AND MEMBER TO TAKE  
2 SPECIFIC ACTION WHICH CAN INCLUDE A COACHING  
3 PROGRAM, A COURSE OF STUDY, TERMS, CONDITIONS,  
4 LIMITATIONS.

5 A CAUTION IS A REQUIREMENT TO APPEAR  
6 BEFORE A PANEL OF THE ICRC, AND THIS HAS BEEN MORE  
7 OFTEN DONE VIRTUALLY, ESPECIALLY THESE DAYS SO THE  
8 ICRC CAN CONVEY ITS CONCERNS DIRECTLY TO THE MEMBER  
9 AND PERHAPS ENGAGE THE MEMBER IN SOME CONVERSATION,  
10 ESPECIALLY IF THERE ARE REMEDIAL OUTCOMES IN  
11 CONJUNCTION WITH THE ACTION.

12 AND A SCERP IS A PROGRAM TO REMEDIATE.

13 WHAT WE HOPE TO GAIN IN TRACKING  
14 ALLEGATIONS IN THIS WAY IS TO SEE IF THERE ARE  
15 PATTERNS OF CONDUCT THAT EMERGE AND THIS CAN BE ON  
16 A MEMBER SPECIFIC BASIS, SPEAKING ABOUT MEMBER'S  
17 CONDUCT HISTORY, THIS IS SOMETHING WE KEEP TRACK OF  
18 AS WELL AS PROFESSION WIDE. WE ARE INTERESTED IN  
19 SEEING IF THERE ARE PATTERNS EMERGING WITH RESPECT  
20 TO CERTAIN STANDARDS OR CONDUCT.

21 IT HELPS US UNDERSTAND IF THERE ARE ANY  
22 GAPS IN THE STANDARDS PERHAPS OR AN UNDERSTANDING  
23 OF THE STANDARDS, AND PERHAPS IN THE COLLEGE'S  
24 METHOD OF COMMUNICATING EXPECTATIONS TO THE  
25 MEMBERSHIP. IT HELPS US IDENTIFY A NEED FOR

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1 TRAINING, EDUCATION, OR COMMUNICATION.

2 NEXT SLIDE PLEASE.

3 I DO THINK IT IS IMPORTANT TO NOTE THAT  
4 WE DO HAVE A REALLY STRONG FOCUS ON REMEDIATION.  
5 THE CHART HERE LOOKS AT 17 4 DISPOSITIONS REACHED  
6 BY THE ICRC FOR THE LAST YEAR AND A HALF. SO FOR  
7 THE LAST FISCAL YEAR AND THE FIRST TWO QUARTERS OF  
8 THIS FISCAL YEAR.

9 OVERALL 59% OF CASES RESULTED IN NO  
10 ACTION AND FOR VARIOUS REASONS. THE TAKE NO  
11 FURTHER ACTION IS A RESULT OF THE ICRC ENGAGING IN  
12 AN INVESTIGATION, DECIDING THAT IT IDENTIFIED NO  
13 CONCERNS AND TAKING NO FURTHER ACTION. SOME OF THE  
14 CASES RESULTED IN A WITHDRAWAL BY THE COMPLAINANT  
15 THAT WAS APPROVED BY THE REGISTRAR OR THE ICRC AND  
16 SOME OF THE CASES WERE NOT INVESTIGATED AT ALL DUE  
17 TO THE F AND V PROVISIONS.

18 TWO OF THE CASES -- TWO PERCENT OF THE  
19 CASES WERE REFERRED TO DISCIPLINE AND 39% OF THE  
20 CASES WERE REMEDIAL AND IN THE REMEDIAL OUTCOMES,  
21 YOU CAN SEE WHAT THEY WERE. SO 50% WERE ADVICE --  
22 OR 5 1% AND THEN SO ON.

23 NEXT SLIDE PLEASE.

24 FOCUSING ON THE ALLEGATION OF ADEQUATE  
25 INFORMATION TO SUPPORT CONCLUSIONS, I DID DECIDE

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1 THAT IT MIGHT BE HELPFUL TO FOCUS ON THIS  
2 ALLEGATION IN PARTICULAR BECAUSE IT IS THE  
3 ALLEGATION WITH THE MOST REMEDIAL OUTCOMES IN THE  
4 LAST FISCAL YEAR. AND OVERALL IT IS THE ALLEGATION  
5 THAT COMES UP THE MOST OFTEN. IN THE 6 QUARTERS  
6 THAT WE TALKED ABOUT PREVIOUSLY IN THE 17 4 CASES,  
7 IT DID COME UP IN 55 OF THOSE CASES.

8 SO IN ABOUT A THIRD OF ALL COMPLAINTS  
9 AND REPORTS, THIS ALLEGATION DOES APPEAR. AND IT'S  
10 A PATTERN THAT REPEATS. IT IS SIMILAR TO THE LAST  
11 FISCAL YEAR WHERE THIS ALLEGATION APPEARED IN 33%  
12 OF ALL CASES.

13 IN TERMS OF OUTCOMES, NO ACTION WAS  
14 TAKEN IN 65% OF THESE CASES IN THE SIX QUARTERS.  
15 4% WERE REFERRED TO DISCIPLINE AND REMEDIATION IN  
16 THE REMAINING 31% AND YOU CAN SEE THE BREAKDOWN OF  
17 THE ALLEGATION OUTCOMES AND REMEDIATIONS AS WELL.

18 OVERALL, ALTHOUGH THE PERCENTAGES DO  
19 DIFFER, IT APPEARS THAT THE OVERALL PATTERN OF  
20 OUTCOMES IS SIMILAR TO THAT OF THE OVERALL PATTERN  
21 OF ALL ALLEGATIONS. NEXT SLIDE PLEASE.

22 SO THIS IS MAYBE WHAT YOU HAVE ALL BEEN  
23 WAITING FOR. WHAT'S THE NARRATIVE, WHAT'S THE  
24 STORY BEHIND THE STATISTIC AND THESE ALLEGATIONS?  
25 I HAVE PREPARED A FEW CASE STUDIES TO GO THROUGH,

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1 THREE OF THEM, TO TALK ABOUT WHAT THE SPECIFIC  
2 ALLEGATIONS WERE, WHAT THE MEMBER'S RESPONSE WAS,  
3 AND WHAT THE ICRC ULTIMATELY DECIDED.

4 ONE CAVEAT -- AN IMPORTANT CAVEAT, IS  
5 THAT SOME THINGS HAVE BEEN CHANGED IN AN ATTEMPT TO  
6 MAINTAIN CONFIDENTIALITY OF THE MEMBER AND THE  
7 COMPLAINANT AND ALSO IMPORTANT TO NOTE AS I STARTED  
8 OUT WITH, THIS ALLEGATION IS NOT THE ONLY ONE IN A  
9 CASE.

10 SO WITH RESPECT TO ADVICE, IT IS MORE  
11 LIKELY THAT THE ADVICE IS LIMITED TO THIS  
12 ALLEGATION IN PARTICULAR WITH RESPECT TO  
13 UNDERTAKINGS AND A SCERP, IT MAY BE THAT THE ICRC'S  
14 ULTIMATE DECISION WAS TRYING TO ADDRESS FOR THAN  
15 JUST THIS ONE ALLEGATION.

16 WITH THAT CAVEAT IN MIND, LET'S GO TO  
17 THE NEXT SLIDE AND START THE FIRST CASE STUDY.

18 THE FIRST CASE STUDY HAS TO DO WITH AN  
19 OFFICE OF THE CHILDREN'S LAWYER INVESTIGATION.

20 THE OCL INVESTOR WAS INTERVIEWING THE  
21 MEMBER, DR. Y, REGARDING MS. X... (READS SLIDE).

22 NEXT SLIDE PLEASE.

23 IN RESPONSE TO THESE ALLEGATIONS, THE  
24 MEMBER NOTED AND PROVIDED CLINICAL NOTES TO THE  
25 COLLEGE THAT INDICATED THAT MS. X HAD REPORTED

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1 SUFFERING BOUTS OF DEPRESSION AND THIS WAS CLEARLY  
2 NOTED IN THE MEMBER'S CLINICAL NOTES.

3 THE MEMBER ALSO DID ACKNOWLEDGE THAT  
4 HER NOTES ARE NOT A VERBATIM TRANSCRIPT OF SESSIONS  
5 BUT A PARAPHRASE OF RELEVANT INFORMATION AND  
6 ACKNOWLEDGED BOUTS OF DEPRESSION COULD BE USED AS A  
7 PARAPHRASE TO INDICATE MS. X AT TIMES FELT  
8 DEPRESSED OR HAD LITTLE MOTIVATION.

9 (CONTINUES READING FROM POINT 3).

10 NEXT SLIDE PLEASE.

11 SO WHAT DID THE ICRC DO? AS IT DOES IN  
12 ALL COMPLAINT INVESTIGATIONS, IT OBTAINS  
13 INFORMATION. IT OBTAINED THE COMPLAINT INFORMATION  
14 FROM MS. X. IT CONTAINED RESPONSE INFORMATION FROM  
15 DR. Y, A CLINICAL RECORD AND A COPY OF THE OCL  
16 REPORT. AT ISSUE IN THIS CASE WAS PARTICULARLY A  
17 CREDIBILITY QUESTION. SPECIFICALLY WHAT WAS  
18 ACTUALLY REPORTED IN SESSION?

19 WE HAVE DR. Y'S NOTE'S AND MS. X'S  
20 DENIAL THAT SHE SAID WHAT WAS NOTED.

21 THIS IS AN IMPORTANT QUESTION BECAUSE  
22 THE ICRC IS A SCREENING COMMITTEE AND IT IS UNABLE  
23 TO DETERMINE QUESTIONS OF CREDIBILITY LIKE THIS.  
24 IT DOESN'T INTERVIEW PEOPLE IN PERSON. IT DOESN'T  
25 HAVE THE ACCESSIBILITY TO CROSS EXAMINE ANYBODY.

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1 ONLY THE DISCIPLINE COMMITTEE HAS THE ABILITY TO DO  
2 THAT AND MAKE A FINDING OF CREDIBILITY.

3 SO THE ICRC NEEDS TO CONSIDER WHETHER  
4 THIS IS SOMETHING THAT NEEDS TO BE REFERRED TO  
5 DISCIPLINE OR CAN THE ICRC OTHERWISE ADDRESS ANY  
6 CONCERNS IDENTIFIED IN THE PUBLIC INTEREST WITHOUT  
7 A REFERRAL.

8 NEXT SLIDE PLEASE.

9 SO THE ICRC ULTIMATELY DECIDED IT WOULD  
10 BE APPROPRIATE TO PROVIDE ADVICE IN THIS CASE.

11 IN COMING TO THAT DECISION, THE ICRC  
12 NOTED THAT THE TERM DEPRESSION, WHEN USED BY  
13 PSYCHOLOGISTS HAS A CLINICAL MEANING AND USING THIS  
14 OUTSIDE OF A FORMAL DIAGNOSIS CAN CAUSE CONFUSION.

15 DR. Y DID APPEAR TO REPORT TO THE OCL  
16 INVESTIGATOR (READS FROM POINT TWO).

17 SO THE ICRC OFFERED THE ADVICE THAT IS  
18 IN BOLD HERE, THAT WHEN REPORTING INFORMATION TO A  
19 THIRD-PARTY, IT IS IMPORTANT TO BE MINDFUL OF THE  
20 USE OF CLINICAL TERMS AND CONSIDER CLEARLY STATING  
21 THE SOURCES OF INFORMATION.

22 THAT WAS THE RESULT OF THE FIRST CASE  
23 STUDY. MOVING ON TO THE SECOND.

24 IN THIS ONE THE ALLEGATION IS RELATED  
25 TO A CAPACITY ASSESSMENT CONDUCTED OF MS. B WHO WAS



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1 NOT THE COMPLAINANT IN THIS MATTER AND A LETTER OF  
2 OPINION.

3 (CONTINUES READING FROM POINT TWO).

4 NEXT SLIDE.

5 IN RESPONSE TO THESE ALLEGATIONS, DR. A  
6 PROVIDED CONTEXT REGARDING THE FAMILY CONFLICT OF  
7 ISSUE. THOUGHT THAT WAS RELEVANT INFORMATION.

8 IN HIS REVIEW OF MS. B, HE DID PROBE  
9 HER PERSONAL HISTORY AND SHE WAS ABLE TO PROVIDE  
10 DETAILED ACCOUNTS OF... (READS SLIDE).

11 NEXT SLIDE PLEASE.

12 AGAIN, THE ICRC CONSIDERED THE  
13 COMPLAINT, THE RESPONSE INFORMATION AND THE  
14 CLINICAL RECORD. THE OVERARCHING QUESTION FOR  
15 CONSIDERATION HERE WAS WHETHER DR. A HAD SUFFICIENT  
16 INFORMATION TO MAKE THE CONCLUSIONS THAT HE DID  
17 ABOUT MS. B'S CAPACITY.

18 NEXT SLIDE PLEASE.

19 ULTIMATELY, THE ICRC DID IDENTIFY  
20 SEVERAL CONCERNS ABOUT THIS MATTER. AND IN  
21 PARTICULAR, ABOUT THE ADEQUACY OF THE INFORMATION  
22 TO SUPPORT THE CONCLUSIONS IN THE ASSESSMENT AND  
23 FOLLOW-UP LETTER. IN PARTICULAR, THE ICRC NOTED  
24 THAT THERE WAS A LACK OF INPUT FROM KEY INDIVIDUALS  
25 WHO COULD HAVE... (READS SLIDE).

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1                   NEXT SLIDE PLEASE.

2                   THE ICRC DECIDED ON UNDERTAKINGS AS THE  
3                   OUTCOME IN THIS SITUATION. THE UNDERTAKING WAS TO  
4                   CONSIST OF A COACHING PROGRAM WITH SEVERAL  
5                   COMPONENTS ONE OF WHICH WAS TO DO A COMPLETE REVIEW  
6                   OF SEVERAL PAST CASES INCLUDING THE ONE AT ISSUE  
7                   BEFORE THE ICRC, AND TO WORK WITH THE COACH TO  
8                   REVIEW AND ADDRESS THE CONCERNS THAT HAD BEEN  
9                   NOTED.

10                   ALSO, AS PART OF THE UNDERTAKING, THE  
11                   MEMBER AGREED TO, BEFORE EMBARKING ON A NEW  
12                   CAPACITY ASSESSMENT, TO REVIEW HIS ASSESSMENT  
13                   PROCESS WITH THE COACH... (READS SLIDE).

14                   NEXT SLIDE PLEASE.

15                   MOVING INTO OUR FINAL CASE STUDY, THIS  
16                   ONE HAS TO DO WITH A JOINT CUSTODY SITUATION OF AN  
17                   8 YEAR OLD CHILD J WHERE THERE WAS A SEPARATION  
18                   AGREEMENT TO MAKE JOINT DECISIONS IN ADVANCE ABOUT  
19                   NONEMERGENCY HEALTHCARE ASSESSMENT AND TREATMENT  
20                   AND ASSESSMENT FOR THERAPY.

21                   THE MOTHER HAD CONTACTED DR. C TO  
22                   PROVIDE THERAPY TO J... (READS SLIDE).

23                   THIS WAS NOT A SITUATION WHERE THE  
24                   FATHER DIDN'T CONSENT. HE MET WITH DR. C FOUR  
25                   TIMES IN THAT PERIOD.

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1 THE PROBLEM AROSE AFTER 18 MONTHS...

2 (READS SLIDE).

3 NEXT SLIDE PLEASE.

4 IN RESPONSE TO THIS COMPLAINT, DR. C  
5 INDICATED THAT SHE WROTE THE LETTER OUT OF CONCERN  
6 FOR J'S WELLBEING AND IN PARTICULAR, THE FATHER'S  
7 LACK OF INVOLVEMENT IN J'S TREATMENT.

8 WHILE TREATING J...(READS SLIDE).

9 NEXT SLIDE PLEASE.

10 AGAIN, THE ICRC IN ITS CONSIDERATION  
11 LOOKED AT THE COMPLAINT, THE ALLEGATIONS, THE  
12 MEMBER'S RESPONSE AND THE CLINICAL RECORD.

13 THE QUESTION FOR THE ICRC IN THIS CASE  
14 WAS TWOFOLD, DID THE LETTER ACTUALLY CONTAIN  
15 CONCLUSIONS AND RECOMMENDATIONS AND IF SO, WERE  
16 THEY BASED ON CURRENT, RELIABLE, ADEQUATE AND  
17 APPROPRIATE INFORMATION?

18 ULTIMATELY, THE ICRC DID THINK THAT  
19 THEY WERE CONCERNS HERE AND ORDERED THE SCERP, THE  
20 CONTINUING EDUCATION PROGRAM.

21 (READS SLIDE).

22 AS WELL IN THIS SITUATION THE COACH IS  
23 TO REPORT TO THE REGISTRAR AT THE CONCLUSION OF THE  
24 SCERP.

25 NEXT SLIDE PLEASE.

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1 TO WRAP UP, SOME OBSERVATIONS I THINK  
2 THAT ARE NOTEWORTHY. FIRST, THAT THE ALLEGATION OF  
3 INADEQUATE INFORMATION CAN ARISE IN A NUMBER OF  
4 DIFFERENT WAYS. IT IS NOT ONE SIZE FITS ALL. IN  
5 THE CASE STUDIES I WENT THROUGH TODAY THEY AROSE IN  
6 DIFFERENT SCENARIOS, ONE IN ORAL COMMUNICATION, ONE  
7 IN A LETTER OF AN OPINION FOLLOWING AN ASSESSMENT  
8 AND ONE IN A LETTER REGARDING TREATMENT  
9 RECOMMENDATIONS THAT THE MEMBER DIDN'T THINK WERE  
10 ACTUALLY CONCLUSIONS THAT THE ICRC HAD CONSIDERED  
11 TO BE.

12 EVEN THOUGH IT IS THE MOST SIGNIFICANT  
13 ALLEGATION IN TERMS OF VOLUNTEER, THE OUTCOMES  
14 AREN'T DISPROPORTIONATE TO THAT VOLUNTEER, AND  
15 FINALLY REMEDIATION IS THE MOST COMMON OUTCOME WERE  
16 THESE ALLEGATIONS OR CONCERNED ARE NOTED.

17 THAT'S THE END OF MY PRESENTATION. I  
18 DON'T KNOW IF THERE'S ANY TIME FOR QUESTIONS.

19 >> HI, ZIMRA. THERE WERE A COUPLE OF  
20 QUESTIONS POSTED. WHY IS WHY DOES IT TAKE SO LONG  
21 TO RESOLVE COMPLAINTS, AND IS THERE A PLAN IN PLACE  
22 TO SPEED UP THE PROCESS?

23 ZIMRA YETNIKOFF: HOW MUCH TIME DO WE  
24 HAVE? IT'S A GREAT QUESTION. THERE'S LOTS  
25 INVOLVED IN INVESTIGATING A COMPLAINT. FIRST OFF,

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1           THERE ARE TIMELINES MANDATED BY THE LEGISLATION.  
2           SO WHEN WE GET A COMPLAINT, WE HAVE TO GIVE THE  
3           MEMBER 30 DAYS TO RESPOND. MEMBERS OFTEN ASK FOR  
4           EXTENSIONS TO THAT TIME PERIOD. WHEN WE GET A  
5           RESPONSE, WE OFFER IT TO THE COMPLAINANT SO THEY  
6           CAN MAKE ANY CLARIFICATIONS. THAT RESPONSE GOES  
7           BACK TO THE MEMBER WHO GETS ADDITIONAL TIME TO  
8           RESPOND.

9                         THERE CAN BE ADDITIONAL INFORMATION  
10           GATHERED FROM WITNESSES. SOMETIMES WE NEED TO  
11           SUMMONS INFORMATION. THIS ALL TAKES TIME.

12                        AND FINALLY THE MATTER GOES TO THE ICRC  
13           FOR CONSIDERATION. NORMALLY WE TRY TO PROVIDE THE  
14           ICRC 30 DAYS WITHIN WHICH TO REVIEW ALL THE  
15           INFORMATION AND THINK ABOUT IT BEFORE THE MEETING.  
16           THEN THE ICRC MEETS BUT PERHAPS THEY WANT  
17           ADDITIONAL INFORMATION. PERHAPS THEY ARE READY TO  
18           COME TO A DECISION. AND THEN THE DECISION NEEDS TO  
19           BE DRAFTED AND THEN CIRCULATED TO ALL THE PANEL  
20           MEMBERS.

21                        AS YOU CAN IMAGINE, THIS DOES TAKE  
22           QUITE AN AMOUNT OF TIME AND GIVEN THE AMOUNT OF  
23           COMPLAINTS, 17 4 IN A 6 QUARTER PERIOD, THERE'S A  
24           LOT OF VOLUME, SO I KNOW THAT'S NOT A GREAT ANSWER,  
25           JUST SOME EXPLANATION AS TO THE CONTEXT AND

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1 BACKGROUND AS TO WHY THESE THINGS SOMETIMES TAKE  
2 LONGER THAN WE WOULD WISH.

3 >> OKAY, THANK YOU VERY MUCH.

4 ANOTHER QUESTION, DOES THE COLLEGE NEED  
5 TO DISCLOSE THAT IT HAS A HISTORY AND/OR REFER  
6 MATTERS OUTSIDE IF IT HAS A POTENTIAL CONFLICT OF  
7 INTEREST?

8 ZIMRA YETNIKOFF: WITH RESPECT TO  
9 HISTORY, WE DO HAVE AN OBLIGATION TO GIVE THE ICRC  
10 THAT'S CONSIDERING ANY COMPLAINT OR REPORT THAT THE  
11 MEMBER'S CONDUCT HISTORY TO THAT ICRC PANEL.

12 THE ICRC CAN'T USE THAT CONDUCT HISTORY  
13 TO DECIDE THE ALLEGATIONS IN THE CURRENT COMPLAINT,  
14 BUT IT IS SUPPOSED TO CONSIDER THAT PREVIOUS  
15 HISTORY IN DECIDING ON THE OUTCOME.

16 SO FOR EXAMPLE, IT MAY BE RELEVANT TO  
17 THE ICRC IF THE MEMBER HAS HAD ADVICE OR  
18 UNDERTAKINGS WITH RESPECT TO A PARTICULAR  
19 ALLEGATION PREVIOUSLY AND THE SAME COMPLAINT HAS  
20 ARISEN AGAIN. THE ICRC MAY THINK THAT THE NEXT  
21 STEP MAY BE A SCERP OR EVEN A REFERRAL TO  
22 DISCIPLINE.

23 I'M NOT SURE ABOUT THE QUESTION OF  
24 REFERRING OUTSIDE. WE ARE CAREFUL TO ENSURE THAT  
25 WHEN WE DO ASSIGN COMPLAINTS AND REPORTS TO ICRC

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1 PANEL MEMBERS FOR THEIR CONSIDERATION, WE DO A  
2 CONFLICT CHECK TO ENSURE THERE'S NO CONFLICT WITH  
3 RESPECT TO ANY OF THE PANEL MEMBERS AND A  
4 PARTICULAR MEMBER.

5 >> THANK YOU NEXT QUESTION, I SEE  
6 MENTION OF COACHES. WHO ARE COACHES IN THE COLLEGE  
7 AND IS THERE AN EVEN TO PROACTIVELY REQUEST  
8 COACHING?

9 ZIMRA YETNIKOFF: I THINK PROACTIVELY  
10 REQUESTING COACHING IS A GREAT IDEA. WE DON'T HAVE  
11 A PROGRAM CURRENTLY TO SET THAT UP WITHIN THE  
12 COLLEGE. THAT WOULD BE, I GUESS UP TO EACH MEMBER  
13 TO SEEK OUT COACHING AND MENTORSHIP AS BEST AS THEY  
14 CAN.

15 WHEN WE DO PROPOSE UNDERTAKINGS TO  
16 MEMBERS, WE ASK THEM TO NOMINATE COACHES, SO WE SEE  
17 IF MEMBERS CAN THINK OF PEOPLE WHO MIGHT WANT TO BE  
18 COACHES OR WOULD BE GOOD COACHES AND TO BRING TO  
19 THE REGISTRAR'S ATTENTION BUT ULTIMATELY THE  
20 DECISION OF THE COACH IS THE REGISTRARS. WE TRY TO  
21 ACCOMMODATE, SOMETIMES WE CAN SHARE THEM AND  
22 SOMETIMES WE CAN'T, BUT THAT A PARTICULAR COACH  
23 NOMINATED IS NOT APPROPRIATE, BUT WE TRY TO LET THE  
24 MEMBERS HAVE SOME INPUT INTO WHO THEIR COACH MIGHT  
25 BE.

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1 >> THANK YOU. AS RELATED TO RETENTION  
2 OF RECORDS, IS THERE A STATUTE OF LIMITATIONS  
3 REGARDING A CLIENT MAKING A COMPLAINT?

4 ZIMRA YETNIKOFF: WITH RESPECT TO OUR  
5 COLLEGE, WE DON'T HAVE THE SAME RETENTION SCHEDULE  
6 OR REQUIREMENTS AS A HEALTHCARE CUSTODIAN. WE'RE  
7 NOT A HEALTHCARE CUSTODIAN. WE HAVE, I THINK --  
8 AND STEPHANIE IS PROBABLY THE BEST ONE TO CORRECT  
9 ME IF I'M WRONG -- I THINK THE RETENTION PERIOD IS  
10 75 YEARS.

11 >> YES IT IS.

12 ZIMRA YETNIKOFF: OKAY. SO 75 YEARS.

13 I THINK WE'RE AT THE 11:50 MARK. I  
14 DON'T KNOW IF IT'S TIME NOW TO GO BACK TO BARRY TO  
15 WRAP UP AND ANSWER ANY OUTSTANDING QUESTIONS THAT  
16 MAY HAVE COME UP OUTSIDE OF WHAT I PRESENTED ON  
17 TODAY.

18 BARRY GANG: WELL, THREE HOURS PASSES  
19 VERY QUICKLY. NOW, I'M CONSCIOUS OF THE FACT THAT  
20 I'M THE ONLY ONE THAT DIDN'T HAVE TO ANSWER ANY  
21 QUESTIONS, AND I THINK I CAN GET THROUGH CONCLUDING  
22 COMMENTS IN JUST A COUPLE MINUTES.

23 SO STEPHANIE, IF THIS DOESN'T JUMBLE  
24 THINGS UP, IS THERE ONE QUESTION THAT -- FROM MY  
25 PRESENTATION THAT I COULD TRY AND ANSWER?



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1 >> I WILL TAKE A LOOK THROUGH.

2 BARRY GANG: WHILE STEPHANIE IS HAVING  
3 A LOOK. I CAN'T LOOK AT ALL THE QUESTIONS FROM MY  
4 VIEW, BUT I CAN SEE THERE ARE 141 RIGHT NOW  
5 UNANSWERED QUESTIONS.

6 SO OBVIOUSLY WE'RE NOT GOING TO GET  
7 THROUGH ALL OF THEM OR ANYMORE THAN MAYBE ONE. BUT  
8 IF WE COULD ASK YOU TO SEND ANY UNANSWERED  
9 QUESTIONS TO BWSQUESTIONS@CPO.ON.CA, THAT WILL HELP  
10 US A LOT BECAUSE I KNOW WHEN LOOKING THROUGH Q&A  
11 BOXES, IT IS VERY HARD TO KNOW SORT OF WHAT THE  
12 CONTEXT OF THE QUESTION WAS, WHAT SLIDE IT MIGHT  
13 HAVE REFERRED TO.

14 AND THE OTHER THING IS THAT QUESTIONS  
15 DO GET ANSWERED SUBSEQUENTLY TO THE TIME THE  
16 QUESTIONS ARE ASKED DURING A PRESENTATION.

17 SO ANYTHING THAT'S UNANSWERED, PLEASE  
18 SEND IT TO US AND WE WILL GET YOU SOME ANSWERS.

19 ANYTHING STANDING OUT, STEPHANIE, OR  
20 SHOULD I JUST CLOSE?

21 >> THE ONES THAT I'M LOOKING AT SEEM  
22 TO HAVE BEEN REPLIED TO, BUT IF SOMEONE HAS  
23 SOMETHING THEY WOULD LIKE ME TO PRESENT, COULD YOU  
24 JUST POST IT IN THE Q&A BOX NOW?

25 HERE'S A QUESTION, BARRY. ARE THERE

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1 GUIDELINES AS TO HOW PSYCHOLOGISTS ARE TO EXPRESS  
2 IN A REPORT A PROFESSIONAL OPINION THAT'S DIFFERENT  
3 THAN ANOTHER PSYCHOLOGISTS REPORT ETHICALLY AND IN  
4 CONSIDERATION?

5 BARRY GANG: I DON'T KNOW THAT THAT  
6 APPLIES TO ANY OF THE PRESENTATION MATERIAL, BUT I  
7 THINK, YOU KNOW, I THINK IF THE DIFFERENCE IS  
8 IMPORTANT, I THINK IT WOULD BE APPROPRIATE TO  
9 ACCURATELY REFLECT WHAT WAS SAID AND JUST SIMPLY  
10 SAY THAT THIS ASSESSMENT, DONE AT A DIFFERENT TIME,  
11 YIELDED SOME DIFFERENT RESULTS WITH RESPECT TO  
12 WHATEVER THE ISSUE WAS, WITHOUT, YOU KNOW,  
13 OBVIOUSLY WITHOUT CRITICIZING OR CASTING ANY DOUBT  
14 ON THE OTHER PERSON. IT'S JUST, YOU KNOW, THAT  
15 THIS IS A DIFFERENT RESULT OBTAINED AT A DIFFERENT  
16 TIME BASED ON DIFFERENT INFORMATION, POSSIBLY.

17 SO WITHOUT KNOWING THE PARTICULARS OF  
18 THE SCENARIO, THAT SEEMS TO BE A REASONABLE WAY TO  
19 ANSWER THAT QUESTION.

20 SO ANYWAY, I THINK IT'S TIME TO WRAP  
21 UP. I WANT TO THANK RICK AND ZIMRA FOR PROVIDING A  
22 LOT OF VALUABLE INFORMATION.

23 I ALSO WANT TO GIVE A VERY BIG SHOUT  
24 OUT TO STEPHANIE MORTON WHO MAKES THE EVENTS HAPPEN  
25 SO SMOOTHLY AND IT IS NOT WITHOUT A LOT OF HARD

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1 WORK AND SKILL SHE'S ABLE TO DO THAT.

2 I ALSO WANT TO THANK THE FOLKS AT  
3 VANTAGE WHO WE HAVEN'T USED BEFORE, BUT IT'S BEEN A  
4 VERY GOOD EXPERIENCE AND IT'S ALL GONE VERY  
5 SMOOTHLY.

6 YOU WILL GET EVALUATION SURVEYS IN YOUR  
7 MAILBOXES. THEY WILL BE POSTED, I THINK, AT 12  
8 O'CLOCK. WE HOPE YOU WILL TAKE THE TIME TO  
9 COMPLETE THEM. WE REALLY DO READ THEM ALL AND USE  
10 THE INFORMATION TO PLAN FUTURE EVENTS.

11 I HOPE THAT YOU WILL ALL CONTINUE TO  
12 TAKE CARE, STAY AS WELL AS POSSIBLE. I KNOW I'VE  
13 SAID THIS A FEW TIMES SO IT FEELS A BIT STALE, BUT  
14 WE HOPE TO SEE MANY OF YOU IN PERSON AT THE NEXT  
15 BARBARA WAND IN SIX MONTHS OR SO, AND THANK YOU ALL  
16 FOR TAKING THE TIME TO ATTEND TODAY.

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