



The College of Psychologists of Ontario

COUNCIL MEETING

2016.02

June 17, 2016

PRESENT:

Ruth Berman, Ph.D., C.Psych.
Kristin Bisbee, Public Member
Judy Cohen, Public Member
Dorothy Cotton, Ph.D., C.Psych.
D'Arcy Delamere, Public Member
Lynette Eulette, Ph.D., C.Psych.
Robert Gauthier, M.Sc., M. Ed, C.Psych.Assoc.
Michael Grand, Ph.D., C.Psych.
Jaffar Mohammad Hayat, Public Member
Gilles Hebert, Ph.D., C.Psych.
Elizabeth Levin, Ph.D., C.Psych.
Peter McKegney, Public Member
Donna McNicol, Public member
Denise Milovan, Ph.D., C.Psych.
Patricia Minnes, Ph.D., C.Psych. (by teleconference)
Ethel Teitelbaum, Public Member
Glenn Webster, M.Ed., C.Psych.Assoc.

Regrets:

Astra Josie Rose, Public Member

Staff:

Rick Morris, Ph.D., C.Psych., Registrar & Executive Director:
Barry Gang, MBA, Dip.C.S., C.Psych.Assoc., Director: Professional
Affairs
Lesia Mackanyn, Director, Registration
Zimra Yetnikoff, Director, Investigations & Hearings
Stephanie Morton, Manager: Administration
Caitlin O'Kelly, Administrative Assistant: Member Services
Prema Shankaran, Assistant to the Registrar, Recorder

2016.02.00

Call to Order

- .00a The Registrar called the meeting to order at 9:01AM.
- .00b Election of Executive Committee
The first order of business was the election of the Executive Committee. The Registrar confirmed that Council Members had received the *Statements of Interest* submitted by members wishing



to stand for election for the following positions on the Executive Committee:

- President
- Two Professional Member positions
- One Public Member position

The three individuals running for the position of President responded to questions posed by the other Council members. The Registrar conducted elections for the position of President assisted by Mr. Glenn Webster, non-voting Council member.

The Registrar announced that Dr. Lynette Eulette was elected as President for the 2016-2017 year.

There were no candidates for the position of the Vice-President received prior to the meeting. The Registrar called for nominations or expression of interest from the floor. Dr. Ruth Berman and Dr. Elizabeth Levin expressed interest in running for the position. Dr. Ruth Berman was elected Vice-President.

Dr. Gilles Hebert had submitted his expression of interest in one of the Professional Member seats. He was acclaimed to this position.

Mr. Robert Gauthier was acclaimed to the other Professional Member seat. Given the requirement that the Executive Committee have representation by a Psychological Associate, Mr. Gauthier, as the only Psychological Associate member on Council, must occupy this seat.

Since only Ms. Judy Cohen has submitted an expression of interest for one of the two Public Member positions on the Executive Committee, the Registrar called for nominations for the second Public Member seat. Mr. Peter McKegney agreed to accept the nomination. Ms. Cohen and Mr. McKegney were acclaimed as the Public Members on the Executive Committee.

The Executive Committee for 2016-2017 is:

Lynette Eulette, Ph.D., C.Psych., President

Ruth Berman, Ph.D., C.Psych., Vice-President

Gilles Hebert, Ph.D., C.Psych., Professional Member

Robert Gauthier, M.Sc., M.Ed., C. Psych.Assoc.,

Professional Member

Judy Cohen, Public Member

Peter McKegney, Public Member



The Registrar congratulated the new Executive Committee and requested the President, Dr. Lynette Eulette, take the Chair and conduct the proceedings of Council.

**It was MOVED Teitelbaum
That the ballots used in the election be destroyed.**

CARRIED

2016.02.01

Approval of the agenda:

The following changes were made to the agenda:

Moved:

.02b(1) Council Orientation Refresher to .01c

Added:

.05d Decreased Availability of Psychological Associates on Council

.05e Tablets or Other Electronic Devices for Council Members

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

CARRIED

.01b Minutes:

(1) Minutes of the Open Meeting at the Council meeting 2016.01 on April 1, 2016

**It was MOVED Cohen
That the minutes of the Open Meeting at the Council Meeting 2016.01 on April 1, 2016 be approved as presented.**

CARRIED

Business Arising from the Minutes:

The Council had been asked to provide comment or concerns to the Registrar regarding the Shaping the Future consultation to be held with MOHLTC. To facilitate such actions in future, Council asked that the Action List be circulated well in advance of the next meeting and prior to when the Minutes are distributed so that Council can respond as needed.

Action Item Staff

to circulate the Action List from the meeting well in advance of the next Council meeting.

Review of Action List

The Council reviewed the Action List and noted items that were completed or on the agenda at this meeting.



The Council discussed the following Action Items:

Action Item Executive Committee

to provide to Council proposed amendments to the Role and Function of the Executive Committee including Regulatory Policy Development

The Council noted that this item is ongoing and will be discussed at the summer meeting of the Executive Committee.

Action Item Staff

To delete Budget Lines and Sections that are no longer required

The Registrar informed the Council that this would be done for the upcoming fiscal year.

(2) Minutes of the **IN CAMERA** meeting at the Council Meeting 2016.01 on April 1, 2016

It was MOVED McKegney

That the minutes of the IN CAMERA meeting at the Council meeting 2016.01 on April 1, 2016 be approved as presented.

CARRIED

.01c Council Orientation/Refresher

This item was moved from the Consent Agenda.

The Council discussed the following:

Objects of the College:

In answer to an inquiry, the Registrar noted that, at this time, the Funding for Therapy and Counselling Program was the only Program which would be included in "Programs to assist individuals to exercise their rights under the RHPA".

Oral Examinations:

A question was raised regarding Registration Committee members participating as Oral Examiners. The Registrar explained that the Registration Committee had decided a couple of years ago that Committee members should not serve as Oral Examiners. This was changed this year however and Committee members were permitted to participate as Oral Examiners. It was expected that Committee members would recuse themselves in case of a Conflict of Interest.

2016.02.02

Consent Agenda items

It was MOVED Cotton

That the Consent Agenda be approved as amended.

CARRIED

2016.02.03

Strategic Issues

- .03a Strategic Direction Implementation: Update
The Council reviewed the updated Strategic Direction Implementation Chart. The Chart presents the list of examples of completed College activities, proposed or in development tasks with respect to each of the six Mission Statements.

The Council agreed that adding dates to the items completed makes this document a historic record.

The Council suggested adding the following:

To add:

- Posting Council materials on the website under *Communicating clearly and effectively*. . .
- Adoption of the revised Definition of Counseling Psychology under *Responding to changing needs*. . .

The Executive Committee will discuss planning for the Strategic Direction 2016-2021 at their summer meeting.

2016.02.04

Policy issues

- .04a Shaping the Future: Implementation Plan
At the meeting on April 1, 2016, Council directed the Registrar to meet with the Ministry of Health and Long-Term Care to discuss the College's proposed *Shaping the Future: Implementation Plan*.

The Registrar reported that he met with Ms. Allison Henry, Director (Acting) - Health System Labour Relations and Regulatory Policy Branch and Mr. Doug Ross, Senior Policy Analyst - Regulatory Policy Unit on May 17, 2016. Ms. Henry had met with the Council at the Council training session on March 31, 2016.

Ms. Henry suggested that the College not develop a full Registration Regulation Amendment submission at this time, but rather write a short Briefing Note. The Note should detail what the College is proposing, the rationale for this, and what the College hopes to accomplish with the suggested changes. She indicated she could then consult with other relevant Ministries such as Training, Colleges and Universities and Education as well as staff involved in federal/provincial/territorial Labour Mobility and the Office of the Fairness Commission. The feedback from these consultations would inform the College on its next steps.



In response to a question, the Registrar noted that timelines are very difficult to predict. The Registrar will provide an update to Council in September 2016.

Action Item RM **to provide an update to the Council meeting on September 30, 2016 on the *Shaping the Future: Implementation Plan***

The Ministry staff suggested that the Briefing Note be brief, two to three pages. The Council agreed that the other Ministries who see only the Briefing Note may not be familiar with the College's overall Implementation Plan. It was suggested that in the cover memo the College indicate its willingness to meet with representatives from the other Ministries, as necessary. The Council considered whether to consult with a government relations consultant or with other Colleges to find out if they have had to develop a similar Briefing Note and if they used any consultants.

Action Item RM **to consult with MOHLTC to find out if any other Colleges have developed a similar Briefing Note**

The Council raised the concern that it could take a long time for the College to get a response from the Ministry. This led to the suggestion that Council reconsider separating the matter of title from the issue of cessation of the master's level registration. The possibility for more confusion among the public was raised given there are now three categories of practitioners providing psychological services: Doctoral level Psychologists, Masters level Psychologists and Psychological Associates.

- .04b Proposed Amendments to *By-Law 20: Elections to Council*
 The Council received proposed amendments to *By-Law 20: Elections to Council*. The amendments included revised criteria for the appointment of academic members, changes to the process for opting into Electoral District 7 (Psychological Associates), and housekeeping amendments related to the use of the online nominations and balloting process.

With regard to the criteria for appointment of academic members, after much discussion, 20.8(1)(c) was amended to read:

Despite paragraph (a), at any given time, members appointed to the Council may:

- i. *Have retired within the previous two years and have maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program; or,*
- ii. *Hold an adjunct appointment as a faculty member in a CPA accredited or equivalent program in a department of psychology*



of a degree granting institution in Ontario which grants graduate level degrees in psychology and have maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program.

With regard to the changes regarding Electoral District 7 (Psychological Associates), it was noted that the Psychological Associate members were expected to choose whether they would vote in Electoral District 7 or in their geographic district. If however, a member did not make a choice, there was no clear direction as to the District they would be placed in. The change to the By-Law makes Electoral District 7 (Psychological Associates) the default should a member not take advantage of the opportunity to choose.

**It was MOVED Minnes
That the proposed amendments to By-Law 20: Elections to
Council be approved for circulation to the membership
CARRIED**

.04c Posting Discipline Decisions on CanLII

The Council received information regarding the Federation of Health Regulatory Colleges of Ontario (FHRCO) position encouraging Health Regulatory Colleges to post Discipline Committee Decisions on the website of the Canadian Legal Information Institute (CanLII).

Council was provided with a memo written by the Deputy Registrar when he was Director: Investigations and Hearings which discussed this proposal. Included with the memo was: materials from the FHRCO Discipline Orientation Committee Meeting of November 2015, with details of which Boards and tribunals currently post on CanLII, and the Motion approved by the FHRCO Board of Directors; the *About CanLII* fact sheet; and, a sample of a College of Physicians and Surgeons of Ontario (CPSO) CanLII posting.

The Registrar noted that there is no requirement in legislation or in the College By-Laws for the College to post Discipline decisions anywhere other than the College's Public Register and in the Annual Report. These publications include the name of the member involved. The College would only post to CanLII decisions that have already been posted on the College's Public Register. CanLII requires that full decisions and reasons be posted therefore if the College has a summary only on the Public Register, this matter would not be posted. In addition, should redaction of personal information be required, CanLII has a format for this. Posting on

CanLII adds an extra level of transparency to the College's transparency initiatives.

The Council suggested that a policy be developed on what the College would post on CanLII.

**It was MOVED McKegney
That the College of Psychologists begin to post discipline decisions on CANLII; the information being consistent with what is posted on the College website.**

**CARRIED
Teitelbaum OPPOSED**

Action Item Staff to post discipline decisions on CanLII

.04d **Psychotherapy as a Controlled Act - Update**
In December 2015, a consortium of College representatives provided a document to the Ministry of Health and Long-Term Care which had been requested to clarify the definition of the controlled act of psychotherapy. The Registrar is a member of the Working Group that developed the document. The Ministry responded to the report on April 20, 2016 asking that the Working Group provide further clarification with examples of practical applications of the controlled act.

The Working Group met on June 7, 2016 to respond to the Ministry's questions and to modify the original document. A second, plain language document is also being proposed to provide additional information.

The Working Group hopes to submit the revised documents to the Ministry in the summer and after approval by the Ministry, the documents will be provided to the Executive Committees of the Colleges to review and to bring forward to their respective College Councils for approval by the fall.

2016.02.05 Business Issues

.05a **Financial:**
(1) Variance Report to March 31, 2016

The Council received the Variance Report to March 31, 2016 along with the narrative for items that are projected to exceed the budgeted amount by more than \$2,000. Based on the unaudited figures to the end of 10 months of the fiscal year, the College is expected to finish the year with a surplus of \$24,600, much more positive than the deficit of \$185,000 approved in the 2015-2016



budget. The Registrar reported that the items that are over budget are very similar to the items previously reported to November 30, 2015.

A question was raised as to whether it would be possible to better anticipate some of the expenses that are over budget. The Registrar noted that many of the expenses are very difficult to predict as they can be quite variable from year to year. For example, legal expenses for reviews by the Health Professions Appeal and Review Board (HPARB) for Registration and ICRC as well as potential discipline hearing costs, and funding for therapy are quite variable. In addition, since the budget is prepared in January of each year and Committee appointments are made in June it is difficult to predict Committee travel and accommodation costs as these vary greatly depending on the number of Committee members from outside of the GTA.

**It was MOVED Cotton
That the Variance Report to March 31, 2016 be accepted.
CARRIED**

(2) Statement of Revenue and Expenses to March 31, 2016.

**It was MOVED Levin
That the Statement of Revenue and Expenses to March 31,
2016 be accepted.
CARRIED**

(3) Report from the Finance and Audit Committee (FAC)
The Council received a report from the Finance and Audit Committee.

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

(4) Appointment of Signing Officers

**It was MOVED Cohen
That the President Dr. Lynette Eulette, the Vice-President
Dr. Ruth Berman and Dr. Denise Milovan be appointed as
Signing Officers for the year 2016-2017.
CARRIED**



Since both Dr. Berman and Dr. Milovan are from Toronto, the services of Mr. Robert Gauthier, as a Signing Officer, are not required this year.

.05b Proposed Revisions to the Succession Plan for the Position of Registrar/Executive Director

The Council received a copy of the draft revised College Succession Plan with revisions proposed by the Committee that was involved in the search for the Registrar & Executive Director in 2015.

It was MOVED Berman

That the proposed amendments to the Succession Plan for the position of Registrar/Executive Director be approved.

CARRIED

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

The Council received an oral report from the Registrar on the meeting of the Association of Canadian Psychology Regulatory Organizations (ACPRO) held in Victoria, B.C. on June 11-12, 2016.

1. Work Force Data: What and How to Collect

- ACPRO recognizes that it would be useful to have a pan-Canadian database of “Workforce Data” for planning. This could answer questions from government regarding the profession and also provide information for training programs regarding needs. Examples of information to be collected include:
 - How many psychological service providers;
 - Located where; providing what services; and, to whom?
 - Age and retirement trends
- Ontario already collects much of the data being considered; ACPRO needs to address issues such as: how to collect this information country wide; where to store it; who will have access to it, etc.

2. Regulatory Issues Regarding Medical Assistance in Dying (MAID)

- A working group was established to coordinate some expert opinions on possible regulatory issues and guidelines to be provided to members. A consistent message from all regulators was seen to be important.

3. Distinction between “Complaints” and “Concerns”; implications for movement across jurisdictions



- It was noted that there is variability across jurisdictions regarding what is considered a “concern” when raised about a member and when this becomes a “complaint”. This becomes an issue when information is exchanged by jurisdictions about a member’s standing. Some jurisdictions note “concerns”, some only report on those matters that are formal “complaints”; while others wait for a discipline outcome before noting there has been a “complaint”. Definitions are to be collected with effort toward arriving at some consistency.
4. Transparency? What is available to the public on our websites
 - This issue was raised by the Registrar describing the current Ontario experience. There seemed to be no other jurisdiction in which there is a governmental move in this direction as yet.
 5. Elections: Chair
 - The Registrar reported that after 11 years of chairing the Regulators group, which included facilitating the formal establishment of ACPRO, he has stepped down as Chair. The new Chair is Ms. Karen Messer-Engel, Registrar from the Saskatchewan College of Psychologists. Mr. McKegey acknowledged the Registrar’s active involvement and exceptional contribution to ACPRO.

- .05d Decreasing availability of Psychological Associates for Committee Appointments
- In reviewing expressions of interest in serving on Committees for the year 2016-2017, the Nominations and Leadership Development Committee noted that the number of Psychological Associates available for serving on Committees is decreasing. *By-Law 5: Selection of Committee Chairs and Committee Members* specifies that both Psychologists and Psychological Associates are to be represented on all Statutory Committees [5.11].

The Council noted that many former Psychological Associate members have registered as Masters level Psychologists and so are not eligible to sit on Committees as Psychological Associates under the current By-Laws. The Council suggested consideration be given to amending the By-Law to specify Masters level practitioner rather than Psychological Associate.

Action Item Executive Committee

to review *By-Law 5: Selection of Committee Chairs and Committee Members* to consider requiring that a Masters level practitioner, rather than



a Psychological Associate, must be represented on all Statutory Committees.

In discussing the representation by Psychological Associates, Council agreed that the non-voting Psychological Associate seat on Council requires re-examination and clarification. It was noted that while this is an elected position, for purposes of Committee appointments, the individual has been considered as a College member and not a member of Council. The Registrar will seek a legal opinion on the status of the position on the Council.

Action Item RM to get legal advice on the position of the non-voting Psychological Associate on Council

The Council directed that the Executive Committee discuss the issue at their meeting in August 2016. The Registrar suggested although *By-Law 20: Elections to Council* was approved for circulation to the membership earlier in the meeting, it may be best to wait to circulate this By-Law if it was going to be amended again at the Council meeting in September 2016.

Action Item Executive Committee to review Council non-voting Psychological Associate on Council

- .05e Tablets or Other Electronic Devices for Council Members
The Council discussed whether Council members should be provided with a tablet or other electronic device for use for Council and other Committee business. The College is implementing SharePoint which will permit Council members to securely access materials. The question to be considered is whether this should be done on personal or College supplied devices.

The Registrar suggested that the Executive Committee discuss the policy regarding use of electronic devices supplied by the College.

Action Item Executive Committee to discuss the provision and use of electronic devices supplied by the College.

Action Item Staff to get information on suitable devices

2016.02.06 Other Business

- .06a (1) Dates of the next Council meetings
The Council noted the following confirmed dates for Council meetings:
- Friday September 30, 2016
 - Friday December 2, 2016



Council Training:

- September 29, 2016

(2) Proposed dates for Council Training and Meeting in March 2017

The Council confirmed the following dates:

- Council Training Thursday March 23, 2017
- Council Meeting Friday March 24, 2017

2016.02.07

Adjournment

There being no further business

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

CARRIED

The Council meeting was adjourned at 2:25 PM.

Lynette Eulette, Ph.D., C.Psych., President

Ruth Berman, Ph.D., C.Psych., Vice-President

Minutes approved at the Council meeting on September 30, 2016