

*Regulating Psychologists and Psychological Associates*

**Getting Ready for Privacy Legislation: *Personal Information Protection and Electronics Documents Act (PIPEDA)***

**In Force January 1, 2004**

The College of Psychologists participated in the development of an information package as a joint, cooperative project by all of Ontario's health regulatory colleges to assist health practitioners with respect to compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA). The information is intended to assist members to determine if they or their organization are subject to PIPEDA. If subject to the legislation, the information will help members to understand the PIPEDA obligations and to fulfill their responsibilities with respect to the collection, use and disclosure of personal information. This package is designed to support individual or small health care practices in the development of a privacy policy.

This information is not intended to provide legal advice on PIPEDA. Members are encouraged to speak with their own lawyer regarding the applicability of this legislation to their practice and to clarify any questions with respect to PIPEDA.

The information is available on the College website at: [www.cpo.on.ca/Privacy/PrivacyMain.asp](http://www.cpo.on.ca/Privacy/PrivacyMain.asp). A hard copy is available by contacting the College.

The Information Package includes:

**1. Are You Ready for the New Privacy Model?**

This article gives an overview of the Personal Information Protection and Electronic Documents Act and includes two screening questions to assist members in understanding the requirements of the legislation and how it may affect them and their organiza-

**Notice of Election**

The Council of the College of Psychologists has set **Wednesday, March 31, 2004** as the date for the next election to Council.

**Elections will be held for Electoral Districts of 1 (North), 2 (Southwest), and 3 (Central).**

The detailed *Notice of Election* and a *Nomination Form* are contained in this issue of the Bulletin.

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**INSERTS**

- Financial Statements 2002-2003
- Election Nomination Form 2004



tion. This may assist members to assess whether the Act applies to them or their organization. If, on analysis, PIPEDA does not apply, psychologists and psychological associates may find it useful to incorporate the privacy principles into their practice to be better able to respond to privacy expectations of the public.

This was adapted from an article published by the College of Physiotherapists of Ontario, based in part on material developed by Richard Steinecke, of the law firm Steinecke Maciura Leblanc. The College of Psychologists appreciates the generosity of the College of Physiotherapists and Mr. Steinecke in permitting us to use their materials.

## **2. Getting Ready for Privacy Legislation: GUIDE**

This is a practical description of the requirements of the legislation to help private practitioners, small health practices or other organizations to comply with PIPEDA obligations. It includes:

- a brief, plain language description of the major requirements of the legislation
- organization of the information to help the reader prepare a Privacy Policy for the organization
- concrete examples with emphasis on those that apply to health practitioners
- sample forms for use in adapting a privacy policy that meets the needs of a member's practice.

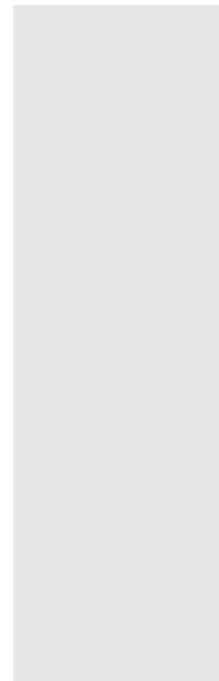
Where relevant, reference is made to the appropriate section of the **CHECKLISTS** provided in this package.

## **3. Getting Ready for Privacy Legislation: CHECKLISTS**

This is a series of step-by-step checklists that are intended to provide assistance in assembling information needed to prepare a privacy policy for the practice or organization. The checklists correspond to the sections in the **GUIDE**.

## **4. Sample Privacy Policy and Sample Forms**

These documents are intended to be adapted by practitioners for use in developing their own privacy policy. The completed checklists will provide the source information to develop these documents. The College advises that members consider each section and its relevance to their practice before including it in their organization's privacy policy.



## President's Message

One of the revelations I had, after first being elected to Council in 1998, was the legal and adjudicative role and responsibility of regulatory bodies in ensuring public protection. I doubt that, at that point, my ignorance of the role of the College was much different from that of many other members. I was aware that I paid a bill every year that covered the renewal of my registration and that the Bulletin sometimes had very interesting, and occasionally surprising, reports of disciplinary actions against members: but I was largely unaware that the primary activities of a regulatory body are to make rules, and to adjudicate those rules. After five years on Council, having been in the position of both making and adjudicating rules, it now seems obvious that this is what we do. I know, based on the communications that I get from members, that my naïveté of five years ago is not uncommon.

Often, in conversation with members, I have found that some common questions about College processes arise. In this issue of the Bulletin, you will find an article by the current chair of the Registration Committee, Dr. Clarissa Bush discussing some issues in the Registration process. As well, there is an article providing some information regarding two questions commonly asked about the complaints process.

Members who have acted as oral examiners in the registration process know that the structure of these exams has become increasingly more prescribed over the years. Of necessity, we have begun to use more standardized language in explaining the examination process to candidates and to inform candidates, following the oral, of the recommendation that will be made to the Registration Committee. Those of you who have been oral examiners know that the joy in taking on this responsibility is in giving feedback that you think will be useful to candidates in their careers. Unfortunately, we have found that such well-meaning and heart-felt words of wisdom may be misunderstood by an anxious candidate who is then disappointed not to formally receive the endorsement he or she thought to have heard. Thus unfortunately, we have had to move away from collegial conversation and towards careful documentation of any information given to a candidate during the course of the examination. Many oral examiners and candidates have commented that this approach sounded and felt cold and overly formal. In response to these comments, efforts have been made to revise the scripts, however it is still essentially a script and one that we think is appropriate for a professional registration examination.

Similarly, candidates for registration have commented on the length and tone of the letters they receive from the Registration Committee. These letters have become longer and much more legalistic over the years. New paragraphs have been added as a result of reviews and directions from the Health Professions Appeal and Review Board where something was not stated clearly enough. These letters, once simple communications with members, have become, by necessity, a legal document. We recognize that the tone of the letters is very formal and they do not necessarily reflect the way we would speak or act, if we were not wearing our "College hats".

The reality is that once a member of this profession puts on a College hat, any statement, written or oral, becomes a formal utterance which may have implications for an applicant, a member or consumer. What one might otherwise say or do as a psychologist or psychological associate, or a fellow colleague, has to be considered through a very different lens in this role.

On a more positive note, one of the true joys of the Presidency is signing the registration certificates of the many successful candidates. I take my time, reading each name carefully and reveling in the addition of each new member to the profession. I have also signed a number of incorporation certificates recently, and I want to take this opportunity to congratulate those members who have decided to embark on this new venture in professional regulation.



Some members have raised concerns about the complaints process. These concerns have two common themes; the length of time it takes to resolve a complaint, and the time spent by the College to investigate what seem to be “trivial and vexatious” complaints. In answer to both of these questions, the key concept appears to be *due process*. The duty of the College to ensure public protection is clearly not served if a member of the profession providing competent and needed services is no longer as available, because time and energy is taken up with an investigation. At the same time, as part of the College’s legislative regulatory responsibilities, there is an obligation to treat each complaint seriously and to conduct an appropriate investigation.

It is essential that due process be available, not only to the complainant, but also to the member against whom the complaint has been made. Members, in responding to a complaint, must be given the opportunity to be fully heard by the Complaints Committee. The time taken to ensure that both the member of the public and the member of the College have had an opportunity to provide all the relevant information to the Committee is time well-spent, I think we would all agree.

Members of the Complaints Committee, both professional and public, devote many hours of their time reviewing these complaints. They take the responsibility of public protection, from all aspects, very seriously. The material that comes to a Committee member considering a complaint can be voluminous, often exceeding a thousand pages, many of which are handwritten. Those of you who do forensic work will appreciate the time and energy that goes into reviewing that amount of data.

A number of processes have been put in place to try to facilitate the decisions of this Committee, but there is no question that the disposition of a complaint takes time, and that during that time, the member who is the subject of the complaint experiences a great deal of anxiety and stress. Your colleagues on the Complaints Committee know that, but once they have put on their College hats, their primary purpose must be to take whatever time is necessary to satisfy themselves that the public interest has been served.

I hope you will read the articles about the Registration and Complaints processes with these comments in mind. As always, any suggestions from members that would help these Committees do their very difficult jobs better, are most welcome.

I would like to take this opportunity to wish all of you the best of the holiday season, and a happy and healthy New Year.

Mary Ann Mountain, Ph.D. C.Psych. ABPP/CN  
President

### Quality Assurance Committee

#### Self Assessment Guide and Professional Development Plan Completion Moves to January

Members are required to complete the *Self Assessment Guide and Professional Development Plan (SAG)* every other year and submit the *Declaration of Completion* to the College to indicate this has been done. The *SAG* has traditionally been sent out early in the summer with the *Declaration* due in late September. Over the past couple of years, the Quality Assurance Committee has found that large numbers of members have missed the September deadline. In following up with members about this, two reasons were consistently heard to account for this in a majority of cases. Many members noted that due to summer vacations or changes in summer work schedules or venues the notification regarding the *SAG* was not received or was overlooked. In speaking with other members, it was found that some confusion existed between the information required for registration renewal and the completion and submission of the *Declaration*.

In an effort to remedy these difficulties, the Quality Assurance Committee has decided to move the *Self Assessment Guide and Professional Development Plan* completion from the summer to the winter.

Beginning in 2004, the *Self Assessment Guide and Professional Development Plan* will be distributed in January, rather than July, with the *Declaration* due in the spring. Members with ‘even numbered’ registration numbers are required to complete the *SAG* in 2004 and will shortly be receiving the 2004 *SAG* information.



## Photocopy Version of Bulletin Available

About a year ago, the College decided to post new issues of the Bulletin on the College website and notify members of this by e-mail. In this way, members with e-mail received a notice as soon as the new Bulletin was on-line, allowing them to read it on the web or download and print it for later reference. This change resulted in considerable cost savings as the number of copies needing to be printed and mailed was significantly reduced. As well, members who accessed the Bulletin in this way often had it available two to three weeks earlier than members who had to wait for a printed copy to be mailed.

There is a concern however, that some members receiving this e-mail notification may not be accessing the Bulletin.

It has come to the attention of the College that some members find it difficult to access the Bulletin on the College website or find it inconvenient to do so. The College is concerned that as a result, some members may be missing out on critical information.

While a hard copy of the Bulletin has continued to be available to any member, upon request, it appears that some members who might prefer this modality have not taken advantage of this option.

To ensure that members have access to important information in a modality which best suits their individual needs, the College is offering the option of a hard copy of the Bulletin to those members currently receiving it by e-mail notification. It is hoped that those members who have been readily accessing the on-line Bulletin will continue to do so. If you have not been receiving a photocopy of the Bulletin, and wish to do so, please contact the College and indicate your wish to be placed on the Bulletin hard copy mailing list.

If you have been receiving a hard copy of the Bulletin, it is not necessary for you to contact the College as you are already on the hard copy mailing list.

Please note that the College no longer produces a professionally printed version of the Bulletin but rather provides a photocopy identical to that which members may download and print from the College website.

## APPLYING FOR A CERTIFICATE OF REGISTRATION AUTHORIZING SUPERVISED PRACTICE

The point at which one finally reaches the stage of being eligible to apply for registration with the College is an exciting moment, the culmination of many years of effort. It is no doubt quite daunting then, for applicants to be confronted with the complex and demanding process they must undertake in an effort to receive their certificate of registration authorizing supervised practice. Established members of the profession, wishing to mentor newcomers, must be taken aback by how much more involved the registration process is now, than at the time they became registered.

The goal of this article to present an overview of the first step of the registration process and to discuss how it has become so much more formal and 'legalistic' over the years. The information provided is a brief summary of what appears in full on the College website and should not replace a careful reading of those documents. These are available at: <http://www.cpo.on.ca/Registration/RegMain.htm>

Those of us who have been in practice for some time were registered when The Psychologists Registration Act was in force. The application package we submitted to the Ontario Board of Examiners in Psychology (OBEP) to apply for our certificates was probably less than one quarter of an inch thick. There was no Registration Committee, no Registration Guidelines and no recourse other than an application to the civil courts, if registration was refused. This simplicity changed dramatically when The Regulated Health Professions Act and the Psychology Act came into force on December 31, 1993. OBEP became The College of Psychologists of Ontario. The newly established College was required to operate under a prescribed committee structure that included a Registration Committee. The Registration Regulation was expanded and Registration Guidelines were developed. Another significant change was the creation of the Health Professions Appeal and Review Board (HPARB), to which applicants readily can appeal if their request for registration is refused.

The mandate of the College is to serve and protect the public interest through the regulation of the provision of psychological services in Ontario. The first step in this regulatory process is to ensure that individuals entering the profession have appropriate education and training to work in psychology in general, and in their proposed area of practice, in particular. New applicants submit an extensive package of materials to the College, which undergoes initial review. Most applications, about 75%-80%, adequately document academic and clinical preparation consistent with the Registration Regulation and the Guidelines, and with the applicant's intended area of practice. Having met these requirements, these applicants receive a letter indicating that they have been issued a certificate of registration authorizing supervised practice which also describes the steps they will need to complete to move to autonomous practice.

For some applicants however, it is not clear from the application package that the candidate's training meets the requirements for registration as a Psychologist or Psychological Associate. For others, while their training may be appropriate, they may be planning to practice in an area or with a client group for which they do not appear to have had enough preparation. In these circumstances, after the initial review, the Registrar refers the application to the Registration Committee for review. Applicants may be issued a certificate of registration authorizing supervised practice while awaiting the Registration Committee's review. Applicants are informed by letter that their application has been referred to the Committee, are told the areas of concern and invited to submit any additional material to further document their preparation and support their application.

The Registration Committee is made up of two panels of individuals, both members of the College and at least one member of the public. Each panel meets six times a year, reviewing from 25-35 files at each meeting. To Committee members, who spend between half a day and a day reviewing files prior to the day long meeting, this is very challenging and demanding work. To candidates, who must wait for the next meeting of the Committee before having their submission reviewed, the process may seem to take a considerable length of time.

In a small number of cases, it is not clear whether the degree held by the applicant meets the criteria for academic credentials necessary for a certificate to be granted. In these situations, the Committee must conduct a point-by-point comparison of the information provided by the applicant (transcripts, documentation from the university, course descriptions) with the requirements specified in the Registration Regulation and Guidelines. The Committee may find that the academic degree does not meet the non-exemptible requirements and would then direct the Registrar not to issue a certificate of registration authorizing supervised practice. The applicant would be informed of this decision and the reasons for it as well as their right to appeal this decision to HPARB and how to launch this appeal.

More commonly, file reviews by the Registration Committee relate to questions of whether the applicant's preparation is appropriate for his/her intended area of practice. In some cases, the Committee may determine the need for the applicant to undertake retraining. For example, if a candidate with training primarily in adult clinical psychology and some coursework and practical experience with children obtains a position with a school board, a retraining plan may be necessary to ensure he/she obtains the coursework and training required for the practice of school psychology. Retraining plans may involve acquisition of core knowledge, (ideally through coursework but via a structured and evaluated individual reading program, if a course is not available) or specific clinical experience (e.g. diagnostic assessments of a wide range of presenting problems). In all cases, the Registration Committee will ask the candidate to submit the retraining plan for review and may request modifications or additions if it feels the plan is inadequate. All retraining plans must contain a description of how the candidate's knowledge or skills will be formally evaluated by the member who has agreed to supervise the plan. This individual may or may not be the primary or alternate supervisor for the registration process.

The imposition of a requirement for a retraining plan may seem burdensome and unnecessary to some candidates. From the perspective of the Registration Committee however, the discrepancy between the candidate's preparation and that needed to practice within his/her intended area of practice is seen as potentially harmful to the public. As well, it may present difficulties for the candidate as they approach the oral examination and could result in a delay in his/her registration. Certainly, the increased knowledge and skills acquired through the retraining plan will clearly benefit both the candidate and his/her clients.

Once a candidate's file has been reviewed, the Registration Committee communicates the decision to them by letter. Because of the volume of work conducted, the Registration Committee meeting can generate up to 70 letters needing to be written. The time needed to write each letter, individually composed to address each candidate's particular situation, can result in a further delay that may be a source of frustration for the candidate.

The letters describing the decision of the Committee are lengthy, and can seem 'legalistic' and cold to the recipient. The reason for this is the need to clearly explain how the Committee's decision was based on a particular, identifiable section of the Registration Regulations or Guidelines. While this approach does make the Registration process much more formal, it also ensures that all applications are reviewed consistently and fairly, and not subject to potential bias on the part of the Committee. In reviewing applications, the Registration Committee must apply a set of specified criteria in a fair and systematic way so that candidates, members of the profession and most importantly, members of the public can be assured of the continuing high quality of psychological services in Ontario.

Finally, this article would not be complete without acknowledging the incredible dedication and hard work of the registration staff. Firstly, Ms. Connie Learn, Director, Registration and Administration, ably assisted by Ms. Lesia Mackanyn, Ms. Myra Veluz and Ms. Michelle Langlois.

Clarissa Bush, Ph.D., C.Psych.  
Chair, Registration Committee



## BY-LAW 25: THE REGISTER AND OTHER RELATED MATTERS

*The Regulated Health Professions Act (RHPA)* specifies information that must be kept in the register [23(2)(a)-(f)] and permits further information to be designated, through by-law, as required register information [23(2)(g)]. As well, the *RHPA* specifies the information contained in the register that must be available to the public [23(3)(a)-(f)] and permits further information to be designated as public as set out in the by-laws [23(4)].

According to *The Health Professions Procedural Code* of the *RHPA*, a proposed by-law pertaining to the register must be circulated to the membership at least 60 days before it is approved by Council. The proposed by-law regarding the register was circulated to the membership through the July 2003 issue of the Bulletin providing the required minimum 60 days circulation. At the December 12, 2003 meeting the College Council reviewed the feedback from members and approved By-Law 25: The Register and Other Related Matters. This by-law prescribes the additional information to be contained in the register and the information that will be available to the public. For ease of understanding, *gray background* has been used in the reproduction below to show the items that are available to the public.

### BY-LAW 25: The Register And Related Matters

1. (1) A member's name in the register shall be the member's name as provided in the documentary evidence used to support the member's initial registration and shall be consistent with the name used by the member on his or her diploma or degree in psychology.
- (2) The Registrar shall direct that a name other than as provided in subsection (1) be entered in the register if such a request is made by the member and the Registrar is satisfied that the member has validly changed his or her name and that the use of the name is not for an improper purpose.
2. (1) Unless otherwise approved by the Registrar, a member's business address in the register shall be the address of the location in Ontario where the member principally engages in psychological practice or, if the member does not practise in Ontario, the member's address, as designated by the member.
- (2) A member's business telephone number in the register shall be the telephone number of the location in Ontario where the member principally engages in psychological practice or, if the member does not practise in Ontario, the telephone number of the location designated in subsection (1).
3. In addition to the information required under subsection 23(2) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991, the register of the College shall contain the following information with respect to each member:
  1. The member's name and any changes to the member's name which have been made in the register since he or she first became registered with the College;
  2. The member's registration number;



3. The date when the member's certificate of registration was first issued by the College;
4. If the person ceased to be a member as a result of his or her resignation or death, the date upon which the person ceased to be a member;
5. The highest degree in psychology held by the member and on which registration is based;
6. The name of the educational institution from which the member received his or her highest degree in psychology upon which registration was based, and the year in which the degree was obtained;
7. The classes of certificates of registration held by the member, the date on which each was issued and, if applicable, the termination or expiration date of each;
8. The member's Area(s) of Practice and Client Groups served;
9. The address and telephone number of the location in Ontario where the member principally engages in psychological practice;
10. The member's home address and home telephone number;
11. The member's preferred address for communication by the College;
12. If the member is a shareholder, officer or director of a health profession corporation which holds a certificate of authorization issued by the College, the name of the health profession corporation and what position or title, if any, the member holds with that corporation;
13. Any term, condition or limitation on the member's certificate of registration;
14. The results of any disciplinary or incapacity proceeding in which a member's certificate of registration was revoked and the date of the revocation;
15. If the member's certificate of registration is subject to an interim order of the Executive Committee, a notation of that fact, the nature of that order and its effective date;
16. If the member's certificate of registration is suspended for non-payment of the annual fee or any fee required by the College, a notation of that fact and the date upon which the suspension took effect;
17. If the member's certificate of registration is suspended for failure to comply with the order of a Board of Inquiry, a notation of that fact and the date upon which the suspension took effect;
18. If an allegation of professional misconduct or incompetence has been referred to the Discipline Committee in respect of the member and is outstanding,
  - (a) a notation of that fact and whether the allegations are for professional misconduct or incompetence,
  - (b) a brief summary of each specified allegation, and
  - (c) the date of the hearing if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced;
19. If the question of the member's capacity has been referred to the Fitness to Practice Committee and not yet decided, a notation of that fact;



20. If the person ceased to be a member as a result of his or her resignation after a referral to the Discipline Committee, a brief summary of the allegations against the member, and the fact that the resignation occurred in the face of such allegations, or such other notations as may be agreed to by the member and the Registrar;

21. If, prior to January 1, 1994, the person ceased to be a member as a result of his or her resignation after a referral to Discipline, a brief summary of the allegations against the member, and the fact that the resignation occurred in the face of such allegations, or such other notations as may be agreed to by the member and the Registrar;

22. If the member has been required to attend before the Complaints Committee to be cautioned, a notation of that fact;

23. If a finding of professional misconduct, incompetence or incapacity has been made against a member by any other regulatory body, in or outside of Ontario, or in any other health profession,

- (a) a notation of that fact,
- (b) the date of the finding and the name of the governing body that made the finding,
- (c) a brief summary of the facts on which the finding was based,
- (d) the penalty, if any, and
- (e) where the finding is under appeal, a notation of that fact, which notation shall be removed once the appeal is finally disposed of;

24. If a decision of the Discipline Committee has been published by the College with the member's name included,

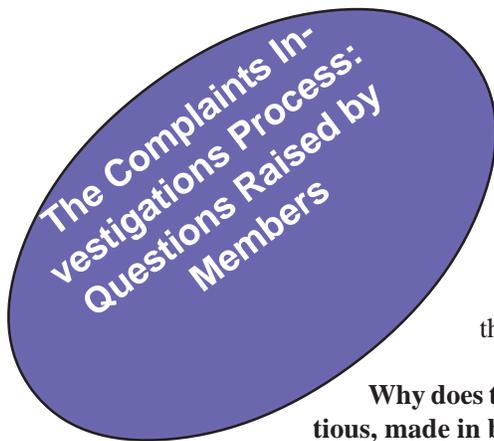
- (a) a notation of that fact, and
- (b) identification of the specific publication of the College containing that information.

3.1 Notwithstanding the provisions of section 3, the College shall delete from the register any information that would otherwise have been required to be maintained under this by-law in respect of any member who died which is no longer needed in order to protect the public.

3.2 In addition to the information under subsection 23(2) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991, the register shall contain, in respect of each health profession corporation to which a certificate of authorization has been issued by the College, the following information:

- 1. The certificate of authorization number;
- 2. The head office and mailing address of the health profession corporation;
- 3. The date upon which the certificate of authorization was first issued;
- 4. If the certificate of authorization has been revoked, a notation of the fact, the date when the revocation occurred and a brief summary of the reasons for the revocation;
- 5. If the certificate of authorization was revised or a new certificate of authorization was issued to the health profession corporation, a notation of that fact and the date when that occurred;
- 6. The name, as set out in the College register, of each of the officer and director of the health profession corporation and the title or office held by each;
- 7. The practice name(s) or business name(s), if any, used by the health profession corporation;

8. The address and telephone number of each location at which the health profession corporation carries on business;
  9. A brief description of the business activities carried on by the health profession corporation.
4. Subject to section 4.1, the information contained in paragraphs 1, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, and, at the member's request 8 of section 3 and paragraphs 1, 2, 3, 4, 5, 6, 7, 8, and 9 of section 3.2 shall be information available to the public from the register of the College under paragraph 4 of subsection 23(3) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991.
- a) At the discretion of the Registrar, information designated as public in the register may be provided to any person in printed, electronic or oral form.
  - b) The College will not provide a member's registration number but may verify the number upon request.
- 4.1 At the discretion of the Registrar, a member's previous name or names shall not be information available to the public from the register of the College under paragraph 4 of subsection 23(3) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991.
- 4.2 Information which, but for the commencement of an appeal or other legal proceeding, would have been available to the public from the register of the College under paragraph 4 of subsection 23(3) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991, shall be available to the public from the register of the College as if no appeal or legal proceeding had been commenced.
5. (1) A member shall immediately provide to the College, if requested to do so by the Registrar, the following:
- a) His or her home address and home telephone number;
  - b) The address and telephone number of,
    - (i) the location in Ontario where the member principally engages in psychological practice, and
    - (ii) all other locations, whether inside or outside of Ontario, at which the member engages in psychological practice;
  - c) The member's business address and business telephone number;
  - d) The member's preferred address for communication by the College;
  - e) A description of the services which the member provides in each of his or her practice locations.
- (2) If there has been any change in the information which is required to be provided under subsection (1) the member shall notify the Registrar in writing of the change within thirty (30) days of the effective date of the change.



**F**rom time to time, members raise concerns about some aspects of the complaints investigation process. Two of the most frequently voiced concerns relate to the investigation of complaints that seem to be frivolous, vexatious, made in bad faith or otherwise an abuse of process; and, the long wait for Complaints Committee decisions. The following article is written in an effort to provide some information on these aspects of the process.

**Why does the College investigate complaints that seem to be frivolous, vexatious, made in bad faith or otherwise an abuse of process?**

Members of the College have raised concerns about the decision to investigate a complaint that they believe to be frivolous, vexatious, made in bad faith or otherwise an abuse of process. Under section 26(4) of the Health Professions Procedural Code (Code) of the Regulated Health Professions Act (RHPA), a panel of the Complaints Committee may determine that such a complaint may not require investigation. If the panel is considering this, the panel must provide both the complainant and the member with notice that it intends to take no action with respect to the complaint. Upon receipt of this notice, both parties have a right to make written submissions regarding this to the panel. After considering any submissions made, the panel may decide to take no action, and is required to provide a copy of its decision and reasons to the member and complainant. At this point, either the complainant or the member is entitled to a review of this decision by the Health Professions Appeal and Review Board (HPARB). Upon review, HPARB may either confirm the panel's decision, or return the matter to the College and require it to conduct an investigation.

The Committee has often discussed exercising the option to take no action with respect to a complaint when it appears there may be an "ulterior motive" behind the complaint. Sometimes this occurs when considering complaints that might be seen as strategically lodged, in the context of a disability insurance or custody and access dispute. The Committee has taken the position that even in such cases, if the possibility exists that evidence is available that could support the allegations, a decision not to investigate might be an abrogation of the Committee's responsibility. This is consistent with the view taken by the courts and the Health Professions Appeal and Review Board, who have been critical of regulators who have inappropriately refused to consider a complaint.

Since proclamation of the RHPA, there have been three occasions in which a panel of the Complaints Committee has decided not to investigate a complaint, pursuant to section 26(4). The reason for the decision not to investigate was different in each situation. In one case, the same allegations had already been made by the same complainant in a previous complaint. In the second, the College had no jurisdiction to investigate an incident that occurred prior to the member's registration with the College. The third was a case in which the information provided by the complainant in support of the particular allegation led the Committee to believe that there was no factual information available that could possibly lead to any concerns.

During the same time period, the Complaints Committee has investigated 650 cases. In 246 (38%) of these cases, the Committee decided to take no action, or in some cases, dismiss the complaint with advice given to the member. These cases, in which the Committee found little or no support for the complainants allegations account for 74 of the 111 (66%) cases in which reviews by HPARB were requested. It may be reasonable to predict that, if the Committee had exercised its discretion not to investigate these complaints, the complainants would have requested reviews of that decision by HPARB. As the threshold to be met for disposing of a case under section 26(4) is very high, the result of these often lengthy and stressful HPARB reviews may very well have been a direction by HPARB to the College to conduct an investigation. In fact, a College investigation might well have been concluded in the time taken to complete an HPARB review of a panel's initial decision not to investigate a complaint.



The College continues to examine each new complaint for the possibility that an investigation might not be necessary. Staff are also in communication with other RHPA Colleges and monitoring publications for developments in this contentious area of complaint investigations.

### Why does the Investigation Process take so long?

The time between when a member is notified that a complaint has been lodged and when the member is notified of the Complaints Committee disposition can be one of anxiety and uncomfortable anticipation. Unfortunately, this time period is often very lengthy.

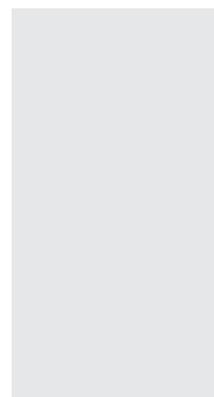
The Complaints Committee and the Investigations and Resolutions staff have been working hard to reduce the length of time that a complaint is outstanding, and some gains have been achieved. While recognized to continue to be very lengthy, especially for the member involved, the wait has decreased by approximately 36% in the past two years.

Significant delays in finalizing a matter often reflects necessary efforts by the Complaints Committee to adhere to relevant legislation and College policies, conduct an adequate investigation, and ensure a fair process for both the member of the College and the complainant. The investigation may be prolonged due to the time involved in:

- making reasonable efforts to communicate with members, complainants and other possible witnesses who may be difficult to locate, or may be unresponsive
- considering and granting requests by members to extend the statutory time limits set for responding to complaints
- considering requests by members that their response to the complaint be withheld from the complainant
- obtaining expert or other legal advice to assist the Committee in its deliberations
- protracted negotiation with members when the resolution of a complaint includes an Undertaking and/or Agreement.

Decisions regarding the many issues that arise within the complaints process must be made by the Complaints Committee. As the Committee is only able to meet every six to eight weeks, often a matter must be deferred from one meeting to the next if the Committee determines it requires further information to continue its deliberations.

Understandably, members, as well as complainants, have raised concern about the length of the process. Staff and Committee members continue to search for efficiencies, with the goal to further reduce the wait for Decisions. Recognizing that the wait can be very stressful, College investigators ensure that after 120 days have elapsed, both complainants and members regularly receive information about the progress of each complaint.





## Fees For Registration Examinations And Interviews To Be Put Into By-Law A Housekeeping Matter

The *Health Professions Procedural Code (Code)* of the *Regulated Health Professions Act, 1991 RHPA* permits the Council of the College to make by-laws respecting fees for annual renewals, fees for registration examinations, and other matters [94(1)(s)]. The annual renewals have been a part of the College by-laws for some time however, the by-law has not included the fees for registration examinations and interviews. At the meeting of December 12, 2003 the Council of the College approved for circulation to the membership, an amendment to *By-Law 18: Fees* respecting the fees for examinations and interviews. According to the *Code*, this proposed by-law amendment must be circulated to the membership at least 60 days before it is approved for implementation.

The decision to include this information in the by-law is a housekeeping matter as there were no changes made to the examination or interview fees. The fees prescribed in 18.8 – 18.11 remain unchanged. As a result of the addition of examination and interview fees to the by-law, any proposed changes will now be subject to the requirement that the change be circulated to the membership at least 60 days before it is approved for implementation.

Members wishing to provide comments regarding the inclusion of the fees for examinations and interviews into the by-law may do so by e-mail (bylaw@cpo.on.ca), fax (416-961-2635), or by writing to the College. Please ensure that your response is received by March 1, 2004 to ensure it is included in the information provided to Council when Council considers this matter for approval.

The complete text of *By-Law 18: Fees* is reproduced below. Proposed changes are underlined. The rest of the by-law remains unchanged from what is currently in force.

### BY-LAW 18: FEES

*[Approved by Council December 1999; amended March 2001; amended February 2002; amended March 2003; amended XXX 2004]*

This by-law is made under the authority of the Regulated Health Professions Act, 1991 as amended 1993, 1996, 1998, 2000, 2001 and 2002, subsections 94(1) and the Psychology Act, 1991 as amended 1998.

- 18.1 Every member shall pay an annual membership fee in accordance with this by-law for each membership year.
- 18.2 A membership year begins on June 1 in one year and ends on May 31 of the following year.
- 18.3 The annual fee for membership must be paid on or before June 1 in the membership year.
- 18.4 The annual fee for membership is,

- (a) \$795 for members who reside in Ontario or practice in Ontario;
- (b) \$200 for members who reside outside Ontario and do not practice in Ontario;
- (c) \$238.50 for members who hold a certificate of registration for inactive status;
- (d) \$50 for members who hold a certificate of registration for retired status; and
- (e) \$397.50 for members who hold a certificate of registration for academic status.

18.5 No later than 30 days before an annual fee is due, the Registrar shall notify the member of the amount of the fee and the day on which the fee is due.

18.6 A member who fails to pay an annual fee on or before the day on which it is due shall pay a penalty of 10 per cent of the annual fee, in addition to the annual fee.

#### **Quality Assurance Program Fees**

18.7 A reminder fee of \$25.00 shall be paid by any member who is sent a third reminder letter notifying them of their failure to complete the mandatory Declaration of Completion related to the *Self Assessment Guide and Professional Development Plan*.

#### **Examination Fees**

18.8 The fee for the Examination for Professional Practice in Psychology is the fee set by the Association of State and Provincial Psychology Boards and its contractors.

18.9 The fee for the Jurisprudence and Ethics Examination is \$270.

18.10 The fee for the oral examination is \$740.

#### **Interview Fee**

18.11 The fee for an interview is \$740.

UPCOMING  
COUNCIL MEETING

MARCH 5, 2004  
MAY 28, 2004

PLEASE NOTIFY THE COLLEGE IF YOU ARE PLANNING TO ATTEND



# Investigations and Hearings

The Committees involved in Investigations and Hearings reported the following activity between June 1, 2003 and November 30, 2003.

Number of New Complaints against members: 18

### Complaints Received by Nature of Complaint

Bias	2
Boundary Violation	1
Breach of Confidentiality	1
Failure to Obtain Informed Consent	3
Failure to Render Services Appropriate to User Needs	1
Fees and Billing Problems	2
Illegal Conduct	1
Improper Supervision	2
Innaccurate Information	2
Quality of Services	1
Sexual Touching	<u>2</u>
	18

### Complaints Received by Nature of Service

Corrections Assessment	4
Custody & Access Assessment/Child Welfare	2
Educational Assessment	1
Mediation	1
Psychological Assessment	1
Psychotherapy/Counselling	4
Rehabilitation Assessment	2
Supervision	<u>3</u>
	18

### Decisions Released by Nature of Disposition

Take no Further Action (Dismiss)	9
Take no Further Action (Facilitated Resolution)	2
Advice	10
Facilitated Resolution	1
Referral to Quality Assurance Committee	2
Written Caution	7
Caution with Undertakings	<u>1</u>
	32

In addition to the formal complaints considered by the Complaints Committee, staff responded to 69 inquiries regarding members' conduct, which were resolved with no subsequent formal complaint lodged.

**Disciplinary Proceeding:****Dr. Colin Jones**

Specified allegations of Professional Misconduct were referred to the Discipline Committee with respect to Dr. Colin Jones. Following Dr. Jones' resignation from The College of Psychologists of Ontario, a panel of the Discipline Committee held a hearing into the allegations on September 29, 2003. It found that Dr. Jones failed to maintain the standards of the profession and engaged in conduct or performed an act in the course of practicing the profession that, having regard to all of the circumstances, would be reasonably regarded by members as disgraceful, dishonourable, and unprofessional. The Panel determined that Dr. Jones would receive a reprimand.

**HOLD THE DATE**

**BARBARA WAND SEMINAR IN PROFESSIONAL  
ETHICS, STANDARDS AND CONDUCT**

**Friday, May 7, 2004**

Alumni Hall Auditorium  
University of St. Michael's College  
St. Joseph's Street, Toronto

The Planning Committee is considering a number of topics of interest to all practitioners and, once again, is expecting a capacity turn out. Detailed information and registration forms will be available shortly.



## NOTICE OF ELECTION TO COUNCIL 2004

### Information for Members

#### Nominations

Date: A date of March 31, 2004 has been set for election to Council.

Elections will be held for Electoral Districts of 1 (North), 2 (Southwest), and 3 (Central).

*District 1 - North* This district is composed of the districts of Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Sudbury, Timiskaming, Manitoulin, Nipissing, and Parry Sound, and the Regional Municipality of Sudbury.

*District 2 - Southwest* This district is composed of the counties of Bruce, Grey, Huron, Perth, Wellington, Dufferin, Lambton, Middlesex, Oxford, Brant, Essex, Kent, Elgin, and the regional municipalities of Haldimand-Norfolk, and Waterloo.

*District 3 - Central* This is composed of the District of Muskoka, and the counties of Haliburton, Hastings, Lennox and Addington, Frontenac, Simcoe, Victoria, Peterborough, Northumberland, Prince Edward, and the regional municipalities of Halton, Hamilton-Wentworth, and Niagara, and the Regional Municipality of Durham (less the municipalities of Pickering, Ajax, Whitby and Oshawa), the Regional Municipality of York (less the municipalities of Vaughan, Richmond Hill and Markham), and the Regional Municipality of Peel (less Mississauga and Brampton).

**Eligibility:** A psychologist or psychological associate must be engaged in the practice of psychology in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of psychology in the electoral district, is resident in the electoral district for which he or she is nominated.

Psychological Associates who have previously chosen to vote for the Psychological Associate seat in District 7 are not eligible to nominate and vote in Districts 1, 2 or 3.

A psychologist or psychological associate must not be in default of payment of any fees; the certificate of registration must not have been revoked or suspended in the six years preceding the date of election or subject to a term, condition or limitation as a result of a disciplinary action, within two years leading up to election.

**Nominations:** A nomination form is enclosed. A psychologist or psychological associate may be a candidate for election in only one electoral district in which he or she is an eligible voter. A nomination must be signed by at least five members who support the nomination and are eligible to vote in that electoral district.

**Deadline for nominations:** Nominations are due by 5 p.m., Friday, January 30, 2004. Further nominations will be received until 30 days before the election. Monday, March 1, 2004 is the last day for receiving nominations for the election. Those needing additional nomination forms may contact the College office.

**Withdrawal of nomination:** A candidate may withdraw his or her nomination by giving notice to the Registrar in writing, not less than 30 days before the election. The last day for withdrawal is Monday, March 1, 2004.

**Mailing lists:** On written request to the College, a candidate may obtain a mailing list (or address labels) of members in the electoral district, for use in the electoral process.

## Procedures

**Distribution of ballots:** No later than 15 days before the election, a final list of candidates in the electoral district, a ballot, the candidates' biographies and statements and an explanation of the voting procedures will be sent out.

**Voting procedures:** Each member eligible to vote in a given district will receive a pre-addressed envelope in which to seal the completed ballot. The name and address of the voting member must be recorded in the appropriate space on the outside of the envelope so that the scrutineers may verify the voter's name and address against the voters' list. The envelope containing the ballot with your vote must be postmarked no later than Wednesday, March 31, 2004.

The College will distribute the ballots to members in each electoral district, receive the sealed envelopes containing the completed ballots, confirm the voters against the voters' list, count and record the votes, and report the results of the election to the Registrar. The voting will be confidential and the College will arrange for a neutral third party to oversee the counting of ballots. Candidates may, at their own expense, choose to send a representative to observe the counting process.

## Other Information

**Responsibilities:** Council members are appointed to the seven statutory committees (Executive, Registration, Complaints, Discipline, Fitness to Practise, Quality Assurance, and Client Relations) and can expect to serve on at least two such committees. Council members can become members of other standing committees, as well as various ad hoc committees established.

**Term of Office:** The term of office for elected members is three years. During that time a member may be appointed to chair one or more committees.

**Time Commitment:** Council meetings are held at least quarterly and normally last for two full days (usually a Friday and Saturday). Committees may meet the day before the Council meeting or between Council meetings. Committees are likely to meet twice as often as the Council for at least one full day.

Hearings of the Discipline Committee occur approximately five times per year. Three professional members of the Committee are required at each hearing. Efforts are made to accommodate members' schedules, wherever possible. While most hearings are shorter, infrequently it may be necessary to make a commitment of one week at a time. Members seeking election to Council should take this into consideration when evaluating their ability to commit the time required for Council and committee activities.

The May meeting of Council is a one-day meeting scheduled for Friday, May 28, 2004. Dates for the September 2004 and December 2004 and March 2005 meetings have not yet been set. Following the May Council meeting, the Executive Committee will meet to appoint new Council members to committees.

**Per diems and Expenses:** Current Council policy provides for a per diem of \$295 for Council and Committee meetings. Half-day meetings are pro-rated.

Expenses covered include necessary travel (economy fare or mileage); meals up to \$52 plus GST per day; and necessary taxi fare or parking expenses. If a meal, such as lunch, is provided during a full day meeting, then the amount allocated for lunch is deducted from available expense coverage.

**Note:** The complete Elections By-law is available on the College website or by contacting the College.



## Changes to the Register

The College would like to congratulate and welcome the 41 new *Psychologist* members and the 19 new *Psychological Associate* members issued with Certificates Authorizing Autonomous Practice to December 15, 2003.

### PSYCHOLOGISTS

Dana Lyn Anderson  
Nili Rebecca Benazon  
Pamela Jean Brown  
Danielle Ada Cataudella  
Roland Donald Chretien  
Frances Fletcher Clark  
Linda Joy Cudmore  
Norma Mammone D'Agostino  
Lori Teresa de Laplante  
Rebecca Jane Dempster  
Carey Anne DeOliveira  
Michelle Carolyn Duwyn  
Adrienne Eva Eastwood  
Julie Anne Eichstedt  
Kristine Ida Ericson  
Jennifer Noelle Fogarty  
Minakshi Gajjar  
Heather Ann Getty  
Gary Scott Goldfield  
Kathryn Leslie Harkness  
Alisa Anne Kenny Bridgman

Nancy Kocovski  
Kenneth Yiu-Wing Kwan  
Darquise Laflamme  
Zhu-hui Li  
B.Duncan McKinlay  
James Murray  
Michelle Renee Neufeld  
Milan Pomichalek  
Christina Joan Ricciuti  
Daniel Serge Léon Roberts  
Katreena Louise Scott  
Afshan A. Siddiqui  
Tracey Anne Skilling  
Andrea Smith  
Christiane Tousignant  
Vibeke Neuweiler Vaerum  
Curt West  
Robyn Margaret Westmacott  
Linda Marie Wiebe  
Lynn Margaret Woodford

### PSYCHOLOGICAL ASSOCIATES

Piyali Bagchee  
Lisa Lea Bechtel  
Barbara Susan Booth  
Annalize Wilhelmina Booy  
Julie Lynne Brundle  
Lesley Covington  
Bonnie Heather Davidson  
Janet Louise Henderson  
Aris Jiujiias  
Janice King  
Kevin John Korpinen

Paul Elias Kukiel  
Robert Charles McEwan  
Colleen Ann Patterson  
Laurie Lynne Pearson  
Hannah Leah Rockman  
Marcia C.A. Swaby  
Gail Barbara Sweeney  
Meredith Eudora Temple

The College wishes to thank those members who generously provided their time and expertise to act as primary and alternate supervisors for new members issued Certificates Authorizing Autonomous Practice.

## Changes to the Register

The College would like to congratulate and welcome the 46 new *Psychologist* members and the 12 new *Psychological Associate* members issued with Certificates Authorizing Supervised Practice to December 15, 2003.

### PSYCHOLOGISTS

Kathryn Ages  
 Dita Georgiana Andersson Everett  
 Ehud Emmanuel Avitzur  
 Susan Elizabeth Ball  
 Paul Jamie Basevitz  
 Mohsan Raza Beg  
 Lisa Marie Bourque  
 Colleen Elizabeth Carney  
 Daliah Chapnik  
 Christine Anne Clancy  
 Kerry Allyson Collins  
 Barbara Joan de Faye  
 Tessa Sherri DeRosa  
 Gurmeet Kaur Dhaliwal  
 Mark Oliver Dowhaniuk  
 Stephanie Lee Dubois  
 John David Eastwood  
 Rhonda Feldman  
 Karen Deborah Fergus  
 Thomas Antoine Joseph Fournier  
 Larissa René Goertzen  
 Esther Rachel Goldberg  
 Beverly Ann Hann

Jeffrey Allen Harvey  
 Ryan Taylor Kneer  
 Karima Lacène  
 Marie-France Lafontaine  
 Ralph William Lubbers  
 Judith Louise Maxfield  
 Donna McDonagh  
 Golden Melanie Millar  
 Jeremy Frederick Mills  
 Charles Gilbert Nelson  
 Aleksandra Nesovic  
 Cheryl Anne Noble  
 Michael Edward Anthony Oosterhoff  
 Amy Elizabeth Silverman  
 Carey Louise Sturgeon  
 Stacy Elizabeth Thomas  
 Philip Earl Toman  
 Adrian Robert Tong  
 Nicholas Triantafillou  
 Susan M. Vettor  
 Wynsome Harriet Walker  
 Suzanne Elizabeth Wayne-Weidenfelder  
 Simon David Williams

### PSYCHOLOGICAL ASSOCIATES

Janet Eileen Boniferno  
 D. Julia Henry  
 Yana Kleiman  
 Gary Allan Labovitz  
 Kim Darlene Mandziak-Garvey  
 Brenda Dawn McLeod  
 Victor Lewis Mota  
 Meryll Janet Nash

Pamela Ann Nellis-Wylie  
 Diane Eileen Nicholson  
 Kathleen Witt  
 Arzu Yurdakul

### Deceased

The College has learned with regret of the death of **Dr. Massud Siddiqui** and extends condolences to his family, friends and professional colleagues.



## COLLEGE NOTICES

### Retired

Since the publication of the last Bulletin, the following members have requested their Certificates of Registration be changed to Retired status. The College would like to wish them well in their retirement.

Allan Anderson  
 Anneliese Blackwell  
 Fred Boland  
 Lyse Burgess  
 Marilyn Hayman  
 Birute Jonys  
 Solveiga Miezeitis  
 John Orlando  
 Yvon Sarrazin  
 Birendra Sinha  
 Rilda van Feggelen  
 William Wilkinson  
 Patricia Oertel  
 Patricia Meinhold

### Resigned

The following individuals have resigned their membership in the College.

Charles Banner  
 Anthony Bellissimo  
 Elizabeth Calder  
 Vivian Darroch-Lozowski  
 Gloria Fellers  
 Tracy Lee Halpen  
 Julia Henry  
 Martine de Lajudie  
 Laurie Ann Miller  
 Robin Patchett  
 Kenneth Peters  
 Manfred Priesse  
 June Rogers  
 Hemendra Shah  
 Harvey Silver  
 Lawrence Spreng  
 Gloria Taylor  
 Laurel Ann Townsend  
 Roger Wells  
 Kees Van den Heuvel  
 Frederick Van Fleet

### Suspended

The following individuals have had their Certificates of Registration suspended due to unpaid fees.

Linda Anne Baker  
 Donald Andrews  
 Neil Applebaum  
 Wayne Connelly  
 Robert Flynn  
 Brian Heisel  
 Michael McCarrey  
 Colin Miles  
 Allan Moule  
 Richard Neufeld  
 Stephen Butler  
 Claude Balthazard  
 Mariela Shirley  
 Roxanne Whetmore  
 Carol Knox  
 Rhonda Goldman  
 Stuart Gibson

## Thank you...

The College would like to thank the following individuals who assisted in conducting the oral examinations in December 2003.

**Milton Blake, Ph.D., C.Psych.** Child & Parent Resource Institute, Huron-Perth Centre, Stratford & Clinton Children's Mental Health Centre; Private Practice: London

**Jean-Martin Bouchard, M.Ps., C.Psych.Assoc.** Algoma Family Services; Private Practice: Sault Ste. Marie

**Michael Burger, Ph.D., C.Psych.** Mental Health Services Peterborough Regional Health; EAP provider Peterborough Community Police Services; Private Practice: Peterborough

**Clarissa Bush, Ph.D., C.Psych.** Outpatient Memory Disorder Clinic, SCO Health Centre, Training Director, Internship in Clinical Neuropsychology; Private Practice in capacity assessment: Ottawa

**Barbara Coomes, Psy.D., C.Psych.** Community Mental Health Service Lakehead Psychiatric Hospital; Private Practice: Thunder Bay

**Dorothy Cotton, Ph.D., C.Psych.** Regional Treatment Centre (Ontario) of Correctional Service of Canada: Kingston

**Janice Currie, Ph.D., C.Psych.** Central Co-ordinator of Support Services, Toronto District School Board: Toronto

**Stephen Dukoff, Ph.D., C.Psych.** Algonquin and Lakeshore Catholic District School Board and Kingston West Psychological Services: Kingston

**Lynnette Eulette, Ph.D., C.Psych.** Chief Psychologist, Waterloo Region District School Board: Waterloo

**Jack Ferrari, Ph.D., C.Psych.** Professional Practice Leader for Psychology and Psychology Educator, St. Joseph's Regional Mental Health Centre: London

**Joseph Hulshof, Drs., C.Psych.Assoc.** Grey Bruce Regional Health Centre: Owen Sound

**Nina Josefowitz, Ph.D., C.Psych.** Private Practice, Adjunct Professor, University of Toronto: Toronto

**Jean Paul Laroche, Ph.D., C.Psych.** Private Practice: North Bay

**Louise LaRose, Ph.D., C.Psych.** Private Practice: London

**Mark Lawrence,** Public Member of the College Council: North Bay

**Andrée Liddell, Ph.D., C.Psych.** Private Practice: Toronto

**Maggie Mamen, Ph.D., C.Psych.** Private Practice: Ottawa

**William Melnyk Ph.D., C.Psych.** Professor Emeritus Lakehead University; Consultant St. Joseph's Care Group: Thunder Bay

**Elaine Moroney, M.A., C.Psych.Assoc.** Recently retired from Ministry of Education: Mississauga

**Mary Ann Mountain, Ph.D., C.Psych.** St. Joseph's Hospital: Thunder Bay

**Susan Nicholson,** Public Member of College Council: Collingwood

**Normand Perrault, Ph.D., C.Psych.** Conseil des écoles catholiques de langue Française du centre-est (CECLFCE): Gloucester

**Judith Pilowsky, Ph.D., C.Psych.** Private Practice: Toronto

**Janet Polivy, Ph.D., C.Psych.** Professor, Department of Psychology and Psychiatry, University of Toronto: Toronto

**Brian Ridgley, Ph.D., C.Psych.** Private Practice: Toronto

**Michelle Sala, Ph.D., C.Psych.** London Family Court Clinic; Private Practice: London

**Ken Scapinello, Ph.D., C.Psych.** Chief Psychologist, Ontario Correctional Institute (Provincial Assessment/Treatment Centre: Brampton

**Judith-Ann Short, Ph.D., C.Psych.** Inpatient Child and Adolescent Psychiatry Unit, London Health Sciences Centre: London

**Dalia Slonim, Psy.D., C.Psych.** Consultant at Wellesley Hospital; Private Practice: Toronto

**Claire Lowry Sullivan, Ph.D., C.Psych.** Professional Leader, Grand River Hospital; Adjunct Associate Professor, Department of Psychology, University of Waterloo: Kitchener

**David Teplin, Psy.D., C.Psych.** Oak Ridges Medical; York Region Sleep Disorders Centre; Ontario Addiction Treatment Centre: Richmond Hill



## SARS Information Available on Website

The Ministry of Health and Long-Term Care has released a series of new Directives and information applicable to a range of settings related to Severe Acute Respiratory Syndrome (SARS). When the College receives this information it is immediately posted on the College website. Members should review the Ministry Directives to ensure they understand and are in compliance with those Directives that relate to their particular work setting.

To serve and protect the public interest: by promoting excellence in the profession, by ensuring that psychological services are safe and effective, and by advocating for accessibility to psychological services.

The Bulletin is a publication of the College of Psychologists of Ontario

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### VICE-PRESIDENT

Jean-Martin Bouchard, M.Ps., C.Psych.Assoc.

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The Bulletin is published quarterly. Subscriptions for members of the College are included in their registration fee. Others may subscribe at \$20 per year, or \$5.00 per single issue. The College will also try to fill requests for back issues of the Bulletin at the same price.

Please address all correspondence to:

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Les articles dans ce numéro de The Bulletin sont disponibles en français.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO**

**MAY 31, 2003**

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**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
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MAY 31, 2003**

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**AUDITORS' REPORT**

To the Members of  
The College of Psychologists of Ontario

We have audited the statement of financial position of The College of Psychologists of Ontario as at May 31, 2003 and the statements of changes in net assets, revenue and expenses and cash flow for the year then ended. These financial statements are the responsibility of the college's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free from material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the college as at May 31, 2003 and the results of its operations and the changes in its financial position for the year then ended in accordance with Canadian generally accepted accounting principles.

Toronto, Ontario  
July 18, 2003

  
Chartered Accountants

1.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
STATEMENT OF FINANCIAL POSITION  
AS AT MAY 31, 2003**

	<u>2003</u>	<u>2002</u>
<b><u>ASSETS</u></b>		
Bank	\$ 52,158	\$ 166,363
Investments (Note 3)	2,223,729	1,848,852
Sundry assets	17,488	27,419
Capital assets (Note 4)	<u>313,684</u>	<u>346,869</u>
	<b><u>\$ 2,607,059</u></b>	<b><u>\$ 2,389,503</u></b>
<b><u>LIABILITIES</u></b>		
Accounts payable and accrued liabilities	\$ 110,106	\$ 140,141
Registration fees received in advance	960,210	1,059,378
Loan payable (Note 5)	<u>326,913</u>	<u>347,063</u>
	<b><u>1,397,229</u></b>	<b><u>1,546,582</u></b>
<b><u>NET ASSETS</u></b>		
Net assets invested in capital assets	313,684	346,869
Net assets internally restricted for management purposes (Note 6)	555,385	437,350
Unrestricted net assets	<u>340,761</u>	<u>58,702</u>
	<b><u>1,209,830</u></b>	<b><u>842,921</u></b>
	<b><u>\$ 2,607,059</u></b>	<b><u>\$ 2,389,503</u></b>

APPROVED ON BEHALF OF THE BOARD



See Accompanying Notes

2.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
STATEMENT OF CHANGES IN NET ASSETS  
FOR THE YEAR ENDED MAY 31, 2003**

	<u>Invested In Capital Assets</u>	<u>Restricted for Management Purposes</u>	<u>Unrestricted</u>	<u>2003 TOTAL</u>	<u>2002 TOTAL</u>
<b>NET ASSETS</b>					
<b>BALANCE - Beginning of year</b>	\$ 346,869	\$ 437,350	\$ 58,702	\$ 842,921	\$ 843,693
Excess (deficiency) of revenue over expenses	(63,466)	-	430,375	366,909	(772)
Investment in Capital Assets	30,281	-	(30,281)	-	-
Addition to core reserve fund	-	<u>118,035</u>	<u>(118,035)</u>	-	-
<b>BALANCE - End of year</b>	<u>\$ 313,684</u>	<u>\$ 555,385</u>	<u>\$ 340,761</u>	<u>\$ 1,209,830</u>	<u>\$ 842,921</u>

See Accompanying Notes

3.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
STATEMENT OF REVENUE AND EXPENSES  
FOR THE YEAR ENDED MAY 31, 2003**

	<u>2003</u>	<u>2002</u>
<b>REVENUE</b>		
Registration fees	\$ 2,088,333	\$ 1,762,882
Examination fees	120,895	152,260
Interest and miscellaneous income	<u>78,019</u>	<u>75,445</u>
	<u>2,287,247</u>	<u>1,990,587</u>
<b>EXPENSES</b>		
Administration	1,377,688	1,270,489
Hearings	166,471	170,105
Examination and seminar costs	123,686	185,116
Governance	86,516	93,016
Investigations and resolutions	58,134	46,466
Registration	39,217	79,924
Professional organizations	23,555	18,437
Communication, education and training	21,053	62,718
Quality assurance	19,683	17,509
Government relations	4,335	1,434
Moving expenses	-	46,145
	<u>1,920,338</u>	<u>1,991,359</u>
<b>EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES</b>	<u>\$ 366,909</u>	<u>\$ (772)</u>

See Accompanying Notes

4.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
STATEMENT OF CASH FLOW  
FOR THE YEAR ENDED MAY 31, 2003**

	<u>2003</u>	<u>2002</u>
During the year, cash flow was provided by (used in) the following activities:		
<b>OPERATING ACTIVITIES</b>		
Excess (deficiency) of revenue over expenses	\$ 366,909	\$ (772)
Add: Items not involving cash		
Amortization	<u>63,466</u>	<u>61,188</u>
	430,375	60,416
Increase in investments	(374,877)	(819,046)
Decrease (increase) in sundry assets	9,931	(8,049)
(Decrease) increase in accounts payable and accrued expenses	(30,035)	32,372
(Decrease) increase in registration fees received in advance	<u>(99,168)</u>	<u>1,007,366</u>
<b>CASH FLOW (USED IN) PROVIDED BY OPERATING ACTIVITIES</b>	<u>(63,774)</u>	<u>275,059</u>
<b>FINANCING ACTIVITIES</b>		
Proceeds of loan payable	-	365,000
Loan repayments	<u>(20,150)</u>	<u>(17,937)</u>
<b>CASH (USED IN) PROVIDED BY FINANCING ACTIVITIES</b>	<u>(20,150)</u>	<u>347,063</u>
<b>INVESTING ACTIVITIES</b>		
Purchase of capital assets	<u>(30,281)</u>	<u>(330,534)</u>
<b>NET (DECREASE) INCREASE IN CASH DURING THE YEAR</b>	<u>(114,205)</u>	<u>291,588</u>
<b>BANK BALANCE (INDEBTEDNESS), beginning of year</b>	<u>166,363</u>	<u>(125,225)</u>
<b>BANK BALANCE, end of year</b>	<u>\$ 52,158</u>	<u>\$ 166,363</u>

See Accompanying Notes

5.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
NOTES TO THE FINANCIAL STATEMENTS  
MAY 31, 2003**

**1. PURPOSE OF THE ORGANIZATION**

The College of Psychologists of Ontario is charged with developing, establishing and maintaining standards of qualifications for members of the profession under the terms of The Psychology Act (1991) and the Regulated Health Professions Act (1991). As a not-for-profit professional body, the College is not liable for income taxes.

**2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**a) Use of Estimates**

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires that management make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses for the year. Actual amounts could differ from these estimates.

**b) Capital Assets**

Capital Assets are recorded at cost less accumulated amortization. Rates and bases of amortization applied to write off the cost of capital assets over their estimated useful lives are as follows:

Furniture and equipment	-	5 years straight-line
Computer equipment	-	4 years straight-line
Leasehold improvements	-	Straight line over the remaining term of the lease

**c) Registration fees**

In accordance with the regulations of the organization, annual registration fees cover a period of twelve months commencing June 1st of each year. Registration fees received prior to May 31, 2003 covering the subsequent period from June 1st, 2003 to May 31, 2004 have been deferred.

**3. INVESTMENTS**

Investments include GIC's with a value of \$370,850 maturing in equal annual increments through December 23, 2007.

Continued

6.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
NOTES TO THE FINANCIAL STATEMENTS  
MAY 31, 2003**

**4. CAPITAL ASSETS**

	<u>Cost</u>	<u>Accumulated Amortization</u>	<u>Net Carrying Amount</u>	
			<u>2003</u>	<u>2002</u>
Furniture and equipment	\$ 38,137	\$ 15,213	\$ 22,924	\$ 31,214
Computer equipment	35,967	18,295	17,672	17,977
Leasehold improvements	<u>309,731</u>	<u>36,643</u>	<u>273,088</u>	<u>297,678</u>
	<u>\$ 383,835</u>	<u>\$ 70,151</u>	<u>\$ 313,684</u>	<u>\$ 346,869</u>

**5. LOAN PAYABLE**

A convertible revolving bank loan bearing interest at prime rate is repayable in monthly payments of \$3,174 plus interest. The loan is secured by a hypothecation of short-term investment in the amount of \$365,000, and a general security agreement.

The future loan principal repayments are as follows:

2004	\$ 38,088
2005	38,088
2006	38,088
2007	38,088
2008	<u>38,088</u>
	190,440
Thereafter	<u>136,473</u>
	<u>\$ 326,913</u>

**6. NET ASSETS INTERNALLY RESTRICTED FOR MANAGEMENT PURPOSES**

The Core Reserve Fund is to be utilized in extreme circumstances as determined and approved by the Council of the College. At the end of each fiscal year, an allocation from any excess of revenue over expenses is made to maintain the core reserve fund to a maximum of 75% of budgeted annual salaries of the College.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
NOTES TO THE FINANCIAL STATEMENTS  
MAY 31, 2003**

**7. COMMITMENTS**

The future minimum rental payments under operating leases for premises and equipment are as follows.

2004	\$ 82,406
2005	104,075
2006	104,075
2007	110,171
2008	<u>106,202</u>
	<u>\$ 506,929</u>

In addition the College is liable for its proportionate share of operating costs and realty taxes.

**8. FINANCIAL INSTRUMENTS**

The College's financial instruments consists of cash in bank, investments, and accounts payable and accrued liabilities. It is management's opinion that the College is not exposed to significant interest risk arising from these financial instruments.

**9. COMPARATIVE FIGURES**

Comparative figures have been reclassified to conform with the current year's presentation.





**ELECTION NOMINATION FORM**  
**Electoral Districts 1, 2 and 3**  
**March 31, 2004**

**Please type or print clearly, using black ink**

We, the undersigned members of the College of Psychologists of Ontario, eligible to vote in Electoral District \_\_\_\_\_, nominate \_\_\_\_\_ as a candidate for election in Electoral District \_\_\_\_\_ (**five** nominators required) to the Council of the College on March 31, 2004.

Nominee's Registration Number: _____ Telephone Number: _____ Address: _____ _____ E-mail: _____ @ _____
---

I, \_\_\_\_\_, am willing to stand for election, and if elected, to assume all duties of the member of Council for the position to which I am elected.

Nominee's Signature: \_\_\_\_\_.

NOMINATOR'S NAME	DISTRICT	REGISTRATION #	SIGNATURE
1.			
2.			
3.			
4.			
5.			

**Please return this form by 5:00 p.m., January 30, 2004, to:**  
**The College of Psychologists of Ontario**