

## SUPPLEMENTARY NOTES

### To Accompany the Standards of Professional Conduct (2005)

During the consultation process regarding the new Standards of Professional Conduct (2005), members highlighted, by their questions, some areas for which examples or further explanation would be of assistance. Following the completion of the Standards, a number of supplemental notes were drafted and approved by the Council of the College. These notes were developed for the education and guidance of members to assist them in understanding and complying with the Standards of Professional Conduct (2005). Some of the notes relate directly to specific Standards. Others address topics not specifically included in the new Standards but which provide guidance to members on other important issues in practice.

The Supplementary Notes are provided as a separate insert to this Bulletin so that they can be kept with your copy of the Standards.

#### Supplementary Notes Relevant to Specific Standards

- 4.1 Responsibility for Supervised Psychological Services Providers
- 6.1 Accuracy of Public Statements
- 6.2 Presentation of Qualifications
- 9.7 Client Records in a Common Filing System
- 12.5 Relations with Current or Former Clients

#### Additional Supplementary Notes

- S.1 Maintenance of Competence
- S.2 Practice in Emerging Areas
- S.3 Duplication of Services

If, in the course of using the new Standards, members identify areas in which examples or a supplementary note would be helpful, members are urged to contact the College with suggestions.

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# President's Message

Two significant activities have compelled much of my attention in the past few months – responding to the Health Professions Regulatory Advisory Council (HPRAC) consultation and initiating the strategic planning process for the College.

With respect to the HPRAC consultation, I would like to commend College staff and members of the profession with whom I have had the privilege of collaborating in developing our responses, as well as members of Council in their advisory role, for their balanced,

thoughtful consideration of the many issues on which HPRAC has requested consultation. I would urge members of the profession to visit the HPRAC website ([www.hprac.org](http://www.hprac.org)) for opportunities to add your voice to this ongoing consultation, as well as to be informed by the range and diversity of opinions expressed by others. For example, there are currently over 70 submissions from regulatory bodies, associations, service and educational organizations and individuals posted on the website in response to the call for input on the proposal to regulate psychotherapy and/or psychotherapists under the *Regulated Health Professions Act*. The submission by the College of Psychologists is available both on the HPRAC website and on the College of Psychologists of Ontario website ([www.cpo.on.ca](http://www.cpo.on.ca)). Submissions related to legislative issues (e.g., proposed changes to Council committee composition and mandates, changes in confidentiality and reporting requirements) and other referral questions will be posted in accord with the HPRAC timelines.

With respect to the strategic planning process, the preparatory steps – interviewing and selecting a consultant, environmental scans and SWOT analysis – have been completed, and the stage is set for a two day strategic planning workshop for Council and College senior staff in February. There is a groundswell of enthusiasm for the process, and a significant will to ensure the end product is truly useful to the College in navigating the challenges of health care regulation throughout the remainder of this decade.

On a more prosaic, but nonetheless important note, Council has taken the opportunity to reflect on its own processes over the past few months, and to implement some procedural changes in the interests of efficiency, transparency and general quality management. For example, we have moved to a “consent agenda” format for routine reports, to increase the amount of time available at Council and Executive meetings for discussion of business, policy and strategic items. We have identified where new policies would enhance transparency and accountability (for example, with respect to commissioning and receiving committee audits). We will be conducting a bylaw and policy review, a recommended business practice for periodically validating internal consistency of processes.

We continue to pay close attention to our fiduciary responsibilities in accord with both expert external advice and the ongoing contributions of our Finance Committee. College committees, in addition to meeting their statutory responsibilities, continue to implement recommendations from committee audits where appropriate. Task forces are engaged in such activities as finalizing some supplementary notes to accompany the new Standards of Professional Conduct and developing revisions to the Registration Regulation amendment.

On behalf of Council, I wish everyone the best for the holiday season.

Maggie Gibson, Ph.D., C.Psych.  
President

# Quality Assurance Regulation Amendment – Update

The Quality Assurance Regulation Amendment was submitted to the Ministry of Health and Long-Term Care in February 2004 following member consultation conducted in 2002/2003. The review by Ministry staff generated a number of questions needing to be addressed. The Quality Assurance Committee reviewed the concerns raised by the Ministry and suggested ways in which these could be dealt with. This resulted in a redrafting of some sections of the amendment. The changes were reviewed by the College Council and approved for recirculation to the membership. As some of the changes were deemed substantial as compared to the version previously distributed to the membership, Council decided that further consultation was necessary.

The nature of the substantial changes relate to the sections in which the wording such as ‘as may be determined by the College, from time to time’ was used. It was noted that the detail of a regulation should not be subject to change by the College, but rather should contain sufficient detail regarding the requirements or intent of the regulation.

In order to address this issue, two sections of the regulation required change.

## **Stratified Random Selection for Peer Assisted Reviews**

Section 9(2)(b) relates to ‘stratified random selection for peer assisted reviews’. Currently, as part of the Quality Assurance Program, members are selected totally at random to participate in the Peer Assisted Review. This process has been in place since 1998. The amendment to the regulation would permit members to be selected randomly but from subsets of the membership, rather than from the total member database. The current wording in the Regulation indicated that a member would be selected from a subset of the membership “based on criteria identifying high risk areas of practice, client populations, or other demographic data that may be developed by the College from time to time and published by the College and distributed to members.”

The proposed change to the regulation amendment would make the regulation more transparent by providing more detail regarding the nature of the criteria to be used to determine the subset of members from which the random selection would occur.

The wording of the current amendment proposal and that showing the revised proposed changes are presented in italics to highlight the sections under discussion.

### Current Wording:

**9.** (1) Each year the College shall select at random names of members required to undergo a peer-assisted review of his or her practice for the purpose of assessing whether the member’s knowledge, skills and judgment are satisfactory to provide psychological services.

(2) A member is required to undergo a peer-assisted review if,

(a) the member’s name is selected randomly from the entire membership; or

(b) *the member is randomly selected, from a subset of the membership, based on criteria identifying high risk areas of practice, client populations, or other demographic data that may be developed by the College from time to time and published by the College and distributed to members.*



Proposed Revised Wording

9. (1) Each year the College shall select at random names of members required to undergo a peer-assisted review of his or her practice for the purpose of assessing whether the member's knowledge, skills and judgment are satisfactory to provide psychological services.

(2) A member is required to undergo a peer-assisted review if,

(a) the member's name is selected randomly from the entire membership; or

(b) *the member is randomly selected, from a subset of the membership based on a combination of criteria including:*

i. *Area of Practice: Clinical Psychology, Counselling Psychology, School Psychology, Clinical Neuropsychology, Rehabilitation Psychology, Forensic/Corrections Psychology, Health Psychology, Industrial/Organizational Psychology, Academic Psychology*

ii. *Client Population: Children, Adolescents, Adults, Couples, Families, Seniors, Organizations*

iii. *Work Setting: Private Office, Primary/Secondary Educational Institution, Post Secondary Educational Institution, Psychiatric Hospital, Mental Health Clinic/Centre, General Hospital/Hospital Complex, Addiction Treatment Facility, Correctional Facility, Centre for Developmental Disabilities, Rehabilitation Facility, Industrial/Commercial Firm, Government Department, Armed Forces, Social Agency, Law Enforcement Agency*

iv. *Practice Setting: Urban vs Rural, Solo vs Group*

v. *Years Since Registration*

vi. *Areas of Concern as indicated by a review of data regarding the nature of recent complaints*

**Continuing Education Requirements**

Subsection 14(1) proposes that members will be required to participate in mandatory continuing education activities, and that guidelines would be published by the College to set out acceptable types of activities. It also proposes that the guidelines establish the amount of time members must engage in continuing education annually.

As with the section above, the proposed change would make the regulation more transparent by including an outline of the Continuing Education requirements.

Current Wording:

*14. (1) As required by the College, a member shall participate in mandatory continuing education set out in guidelines published by the College and distributed to members. The guidelines shall set out the types of continuing education and professional activities recognized by the College. The guidelines will indicate the minimum amount of time that a member must engage in continuing education, annually.*

*(2) The College shall distribute information on the requirements of the mandatory continuing education programs approved by Council to the members on a timely basis. O. Reg. 534/98, s. 1.*

Proposed Revised Wording:

*14(1) As required by the College, a member shall participate in continuing education activities.*



(2) Continuing education shall be undertaken in activities related to (a) knowledge and skills in a member's area(s) of practice and, (b) legislation, professional standards and ethics.

(3) Continuing education activities may be undertaken from any of the following categories:

Category A – Formal Continuing Education Activities

- Attending formally organized courses, workshops, seminars, symposia, post-graduate or post-doctoral institutes
- Presenting workshops, seminars, teaching and developing courses
- Writing a professional or scientific paper, book, or chapter of a book relevant to psychology
- Editing or reviewing a book or psychological journal
- Conducting formal research

Category B – Peer/Professional Involvement

- Journal clubs, colloquia, invited speaker sessions, professional development luncheons, case conferences designed for training/teaching
- Programs offered at professional or scientific meetings of local, regional, provincial, or national organizations relevant to psychology
- Providing or receiving supervision
- Participation on College committees, serving as an examiner, interviewer or peer reviewer for the College

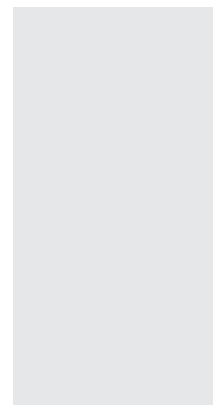
Category C – Individual Learning Activities

- Audio-visual instructional programs or “distance education” courses, audiotape series relating to professional issues (for example, Barbara Wand Symposium, OPA workshops, etc.)
- Reading professional literature, College Bulletins, book reviews, etc.

(4) A members shall undertake at least 100 hours of continuing education every two years. These 100 hours shall include a minimum of 20% of activities related to (b) legislation, professional standards and ethics. As well, at least 20% of continuing education activities will be Formal Continuing Education Activities and at least 20% Peer/Professional Involvement.

(5) At the College's request, members shall forward a record of continuing education or other related documentation as the College may require.

Members with comments are asked to submit them in writing to the College. This can be done in hard copy or by e-mail ([qareg@cpo.on.ca](mailto:qareg@cpo.on.ca)). Please submit any comments by January 31, 2006.



## **Amendment to *Bylaw 18: Fees***

### **Elimination of ‘Out-Of-Province’ Fee Category**

In the October 2004, the College circulated a consultation notice to members regarding a proposed amendment to *Bylaw 18: Fees*. The effect of the amendment would be to remove the ‘out-of-province’ fee category from the bylaw thus bringing the membership fee structure into line with the membership categories described in the Registration Regulation. The effect of the change would be that ‘out-of-province’ members would have to choose between being full, ‘regular’ status members or changing their status to ‘inactive’.

The College received a total of only 15 responses related to the ‘out-of-province’ fee amendment both favouring and opposing the change. Those opposing the change expressed the view that it was unfair to ask members who were not practicing in Ontario to pay the same fee as those who do practice here. Those favouring the change felt that if one is a ‘regular’ status member one should be paying the same fee as every other ‘regular’ status member. While some ‘out-of-province’ members understood the reason for the change, they expressed concern at the lack of clarity regarding the requirements to return to ‘regular’ status from ‘inactive’ status, should one wish to return to Ontario.

In response to these comments, Council asked that the matter be reviewed again by the Registration Committee and the Quality Assurance Committee. Both committees determined that no changes were needed to the proposal regarding the elimination of the ‘out-of-province’ fee category. It was noted however, that guidelines regarding the requirements for a change of status from ‘inactive’ to ‘regular’ were needed. These have been developed. A copy of this guideline is reprinted below and is available on the College website.

At the September 2005 meeting of Council, a motion to amend *Bylaw 18: Fees* was approved. The amended bylaw is available, along with the other College bylaws, on the College website at <http://www.cpo.on.ca/BylawRegStdGuide/RegsStdsFirstPage.htm>

The change resulting from this amendment to the bylaw will come into effect with the 2006/2007 membership renewal. Members holding ‘out-of-province’ fee status may continue to do so until then, at which time a choice will need to be made between ‘inactive’ or ‘regular’ with payment of the corresponding fee. Detailed information regarding this will be provided to affected members along with the renewal forms.

## RETURN TO REGULAR STATUS FROM INACTIVE STATUS

Members who have held inactive status for longer than six consecutive months and wish to apply for return to regular status must apply in writing to the Registrar not less than sixty days before the applicant intends to start practice. The application will be referred to a panel of the Registration Committee for review.

1. Generally, members who have held inactive status in Ontario for up to two years and who intend to return to practice with the same practice area, activities and clients as that for which they previously held regular status will be granted regular status upon payment of the pro-rated annual membership fee.

2. The application of members who have held inactive status in Ontario for longer than two years and who have been continuously registered and practising psychology in another jurisdiction for at least the year preceding this return will be reviewed by the panel, taking into consideration the following:

- whether the practice in the other jurisdiction was similar to that now proposed in Ontario
- whether the proposed practice in Ontario is the same as that for which the member previously held regular status in Ontario
- whether there is a history of discipline sanctions in any jurisdiction in which the member has been registered during the period of inactive status
- the length of time of inactive status and whether the member can demonstrate knowledge of changes in the legislation and standards governing the practice of psychology in Ontario during this time.

Following this review, the member may be granted regular status upon payment of the pro-rated annual membership fee, or the member may be required to complete one or more of the following:

- a period of supervised practice
- additional training
- pass the Jurisprudence and Ethics Examination
- attend an interview.

3. The application of members who have held inactive status in Ontario for longer than two years and who have not been registered and practising psychology for at least the preceding year in another jurisdiction will be reviewed by the panel, taking into consideration the following:

- the length of time of inactive status
- whether the proposed practice is the same as that for which the member previously held regular status in Ontario
- whether the member can demonstrate current competence (i.e. knowledge and skills) in the proposed practice
- whether the member can demonstrate knowledge of changes in the legislation and standards governing the practice of psychology in Ontario during the period of inactive practice.

Following this review, the member may be granted regular status upon payment of the pro-rated annual membership fee, or the member may be required to complete one or more of the following:

- a period of supervised practice
- additional training
- pass the Jurisprudence and Ethics Examination
- attend an interview.



## NOTICE OF ELECTION TO COUNCIL, 2006

**Elections: District 5 - GTA East  
District 6 - GTA West  
Psychological Associate: ex-officio**

**Date:** A date of **Friday, March 31, 2006** has been set for the elections to Council.

Elections will be held for Electoral Districts 5 (GTA East), 6 (GTA West) and the Psychological Associate ex-officio seat.

**District 5 – GTA East** This district is composed of the addresses within the Municipality of Toronto that have postal codes beginning with M1, M2, M3, and M4, and the municipalities of Vaughan, Richmond Hill, Markham, Pickering, Ajax, Whitby and Oshawa.

**District 6 – GTA West** This district is composed of addresses within the Municipality of Toronto, which have postal codes beginning with M5, M6, M7, M8, and M9 and the municipalities of Mississauga and Brampton.

**Psychological Associate: ex-officio**

**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 5 and 6.

**NOTE:** All Psychological Associates are eligible to nominate and vote for the Psychological Associate ex-officio seat.

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.

### *What's Up...*

*Election to Council has  
been set for March 31,  
2006*

District 5 - GTA East  
District 6 - GTA West  
Psychological Associate: ex-officio

*Nominations are due by  
January 30, 2006*



**Nominations:** A nomination form is attached. 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 for electoral districts 5 and 6 must be signed by at least five members (psychologists or psychological associates) who support the nomination and are eligible to vote in that electoral district. The nomination form for the psychological associate ex-officio seat, must be signed by three nominators who support the nomination.

**Deadline for nominations:** Nominations are due by 5 p.m., Monday, January 30, 2006. Further nominations will be received until 30 days before the election. Wednesday, March 1, 2006 is the last day for receiving nominations for the election. Those needing additional nomination forms may download it from the College web site, photocopy them or 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 Wednesday, March 1, 2006.

**Mailing lists:** On written request to the College, a candidate may obtain a mailing list (or address labels), at cost, 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 Friday, March 31, 2006.

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

*Members in the electoral districts will receive candidate statements and biographies with their ballots.*

*Ballots are mailed to voters no later than 15 days before the election.*



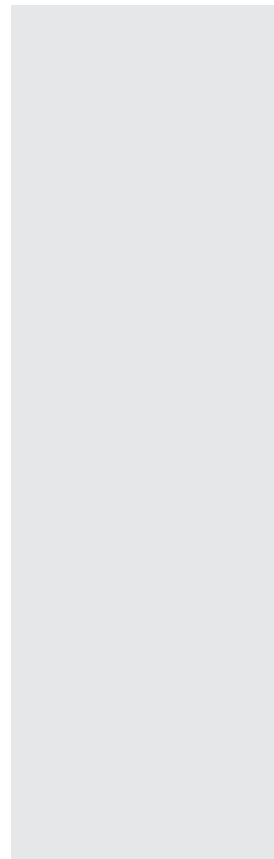
one full day (usually a Friday). Committees may meet the day before the Council meeting or between Council meetings. Committees are likely to meet twice as often as the Council for at least one full day.

The first Council meeting of the new term will take place on June 16, 2006. Further meetings for the 2006-2007 year have not yet been scheduled. At the end of the first day of the June 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 \$63 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.



## Investigations and Hearings

The Committees involved in Investigations and Hearings reported the following activity between September 1, 2005 and November 30, 2005.

New Complaints Received	<u>Current Year</u>		<u>Previous Year</u>
	<u>Sept.-Nov. 30,</u> <u>2005</u>	<u>Year to</u> <u>Date</u>	<u>to end of</u> <u>November</u>
<b>By Nature of Complaint</b>			
Bias	1	4	<i>1</i>
Breach of Confidentiality			<i>2</i>
Conduct Unbecoming of a Member of the CPO		1	<i>2</i>
Dual Relationship		1	
Failure to Obtain Informed Consent	1	3	<i>2</i>
Failure to Render Services Appropriate to the Users Needs	1	1	<i>3</i>
Failure to Respond to a Request in a Timely Manner		1	
False or Misleading Statements		1	<i>2</i>
Fees & Billing Problems		1	
Improper Supervision		2	
Inaccurate Information		1	
Inadequate Data to Support Conclusions	2	3	<i>1</i>
Inappropriate Conduct Toward a Colleague			<i>1</i>
Incompetence	2	2	
Insensitive Treatment of Clients	1	2	<i>1</i>
Quality of Services			<i>3</i>
Record Keeping Problems			<i>1</i>
Sexual Abuse	1	1	<i>1</i>
<b>Total:</b>	9	24	<i>20</i>
<b>By Nature of Service</b>			
Administration		1	<i>1</i>
Corrections Assessment			<i>2</i>
Custody & Access/Child Welfare Assessment	1	2	
Industrial / Occupational Assessment		1	
Neuropsychological Assessment			<i>1</i>
Not Related to Psychological Services		4	<i>4</i>
Other Psychological Assessment	1	5	<i>4</i>
Psychotherapy / Counselling	4	5	<i>5</i>
Rehabilitation / Insurance Assessment	2	5	<i>4</i>
Supervision	1	1	
<b>Total:</b>	9	24	<i>21</i>



	<u>Current Year</u>		<u>Previous Year</u>
	<u>Sept.-Nov.</u> <u>30, 2005</u>	<u>Year to</u> <u>Date</u>	<u>to end of</u> <u>November</u>
<b><u>Inquiries and Informal Resolutions Not Resulting in Complaints</u></b>	51	95	
<b><u>Decisions Released by Disposition</u></b>			
Advice		1	2
Caution (Oral)	1	1	
Caution (Written)	1	2	6
Caution with Undertakings	1	1	2
Complaint Withdrawn			
Frivolous, Vexatious, Made in Bad Faith or Otherwise and Abuse of Process		2	1
Refer to Discipline Committee			3
Take No Further Action	2	4	4
Take No Further Action - Facilitated Resolution			1
Take No Further Action - Frivolous, Vexatious, etc	1	1	
Withdrawn - Facilitated Resolution		1	
<b>Total:</b>	6	13	19
<b><u>Health Professions Appeal and Review Board</u></b>			
Reviews Requested	1	3	7
<b><u>Decisions Received</u></b>			
Decision Confirmed		3	9
Decision Unreasonable			2
Investigation Inadequate		1	2
Notice to not Proceed		1	
<b>Total:</b>	0	5	13

## Report of the Discipline Committee

*The Discipline Committee of the College holds hearings into allegations of professional misconduct and or incompetence. A summary of the disciplinary proceedings is provided for the information of the public, members of the College and other professionals.*

### Dr. Eugene Beaumaster, C. Psych.

A hearing was held on October 25, 2004, into allegations of Professional Misconduct against Dr. Beaumaster.

**Established Facts:**

The following is a summary of the conduct described in the Statement of Agreed Facts and accepted by the panel of the Discipline Committee. It was agreed that:

- As a result of his clinical activities respecting a client about whom concerns of dangerousness had been raised, Dr. Beaumaster placed a colleague, belonging to the clinical team, at risk of harm. These clinical activities included:
  - Failing to discourage the client from pursuing a relationship with the colleague; putting pressure on the colleague to have contact with the client; ignoring the colleague's clearly expressed wish to have no further contact with the client; and, ignoring the colleague's concern for her personal safety
  - Using a clinical intervention without discussing the suitability of the intervention with the other members of the clinical team, who had knowledge that the client had ceased to take significant medication, or reviewing the institutional record
  - failing to adequately prepare the client or the colleague should there be any deviations from the planned intervention;
  - failing to advise other members of the clinical team of adverse developments in the intervention;
- Failing to develop a formal, written treatment plan for the client
- Maintaining records that were incomplete, inadequate and not in accordance with the standards of the profession
- Failing to document regularly on the interdisciplinary treatment team record, resulting in a lack of communication and coordination with other team members

**Decision:**

Based upon the Statement of Agreed Facts, the Panel found that Dr. Beaumaster had committed professional misconduct.

**Penalty:**

- A reprimand to be recorded on the public register
- A two month suspension of his Certificate of Registration
- A requirement that he successfully complete:
  - a suitable program on the assessment of dangerousness, and on appropriate interventions in working with dangerous clients; and
  - a suitable course on professional ethics, including record keeping practices for psychologists
- A condition imposed on his Certificate of Registration requiring an 18 month period of peer mentorship

**Panel's Reasons:**

- The penalty is in the interest of both the public and Dr. Beaumaster
- The penalty acknowledged the important public interest in the remediation of Dr. Beaumaster in order to protect the public from any future similar misconduct by him

*Further information about these proceedings is on the Public Register of the College and may be obtained by contacting the College of Psychologists of Ontario.*

**Kenneth Robert MacKinnon, Ph.D.**

A hearing was held on September 12, 2005 into allegations that Dr. MacKinnon committed acts of professional misconduct in that he:

- a) abused and sexually abused a client ("AB") while rendering professional services to her;
- b) failed to maintain the standards of the profession; and
- c) engaged in conduct or performed an act that, having regard to all the circumstances would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

The following information is a summary of the established facts as well as the Discipline Panel's decision and reasons.

**Established Facts:**

The following is a summary of the conduct described in the Statement of Agreed Facts:

- Initially, Dr. MacKinnon provided counseling and therapy to AB, her husband (the complainant) and their children;
- Subsequently, Dr. MacKinnon treated AB alone; and
- During the professional relationship, Dr. MacKinnon engaged in a social and then sexual relationship with AB, which continued during the two year period following the end of the professional relationship, and beyond.

**Decision:**

Based upon the Statement of Agreed Facts, the plea of guilty by Dr. MacKinnon to the allegations of professional misconduct and submissions by counsel, the Panel decided that Dr. MacKinnon:

- abused and sexually abused AB;
- failed to maintain the standards of the profession; and
- engaged in conduct that would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional.

**Penalty:**

The panel accepted the following joint submission on penalty:

- Revocation of Dr. MacKinnon's Certificate of Registration;
- A recorded reprimand; and
- Reimbursement of any payments made by the College under the program for therapy and counseling on behalf of AB.

The counsel for Dr. MacKinnon requested, and with the agreement of counsel for the College, the Panel agreed that, for the purpose only of providing transition and termination of existing patients, the revocation would take effect on October 12, 2005. The Panel ordered that for this brief interim period, a term, limitation and condition be placed on Dr. MacKinnon's Certificate of Registration:

- prohibiting Dr. MacKinnon from accepting new patients effective immediately, and
- limiting his professional activities to;
  - termination of therapy or counseling with existing patients, or
  - transition of therapy or counseling with existing patients to another service provider.

Dr. MacKinnon also undertook not to reapply for membership in the College, or for membership, registration or licensure for professional practice in psychology in any jurisdiction, for five years.

**Panel's Reasons:**

As this was a case of sexual abuse, the Panel considered it its statutory obligation to revoke Dr. MacKinnon's Certificate of Registration.

**Dr. Lada Kemenoff, C. Psych.**

A hearing was concluded on September 30, 2005 regarding allegations that Dr. Lada Kemenoff committed acts of Professional Misconduct.

**Established Facts:**

The following is a summary of information described in an Agreed Statement of Facts:

- Dr. Lada Kemenoff was a member of the College holding a certificate of registration for a psychologist authorizing supervised practice at the time of the conduct complained about
- In the capacity of Research Associate, she led groups in a project testing a multidimensional cognitive neurorehabilitation program
- The complainant, who sustained severe traumatic brain injury in a motor vehicle accident in which his wife was killed, was a project participant
- The complainant expected to derive some psychological benefit by participating in the project

- During the course of his participation in the project, the complainant initiated an exchange of personal e-mails and instant messaging with Dr. Lada Kemenoff, who provided him with her cellular and home telephone numbers
- During the course of his participation in the project, the complainant urged Dr. Lada Kemenoff to date him
- Dr. Lada Kemenoff initially refused to date the complainant, advising him that it was inappropriate to do so while he was participating in the program and agreeing that they could date at the conclusion of the program
- During the course of his participation in the program the complainant and Dr. Lada Kemenoff went out to dinner, paid for by the complainant
- The complainant alleges that they kissed on the evening of the dinner; Dr. Lada Kemenoff does not dispute this
- The complainant ended his participation in the research program prior to its conclusion
- Dr. Lada Kemenoff and the complainant began to have sexual intercourse shortly after his departure from the program and their personal relationship ended approximately 11 months later
- Over the course of the personal relationship, Dr. Lada Kemenoff and the complainant traveled on a vacation, paid for by the complainant

**The Panel of the Discipline Committee considered the following issues:**

1. Was the complainant a “patient” of Dr. Lada Kemenoff, as the term is intended in the *Regulated Health Professions Act* (“RHPA”)?
2. If the complainant was a patient, did sexual abuse occur and if sexual abuse did occur, did it involve sexual intercourse or physical sexual relations as described in s. 51 (5)2 of the RHPA (for which the mandatory penalty is revocation of a member’s certificate of registration) or touching of a sexual nature or behaviour or remarks of a sexual nature (RHPA s. 1 (3) (b) and (c))?
3. Did Dr. Lada Kemenoff provide “psychological” services to the complainant, as they are defined in the Standards of Professional Conduct of The College of Psychologists of Ontario?
4. If psychological services were provided to the complainant, did she breach the Standards of Professional Conduct?

**Decision of the Panel:**

- Dr. Lada Kemenoff abused and sexually abused the complainant, by engaging in behaviour and remarks of sexual nature towards him and thereby committed professional misconduct
- Dr. Lada Kemenoff engaged in a sexual relationship with the complainant within two years of providing psychological services to him, thereby committing professional misconduct by breaching the Standards of Professional Conduct and failing to maintain the Standards of the Profession
- Dr. Lada Kemenoff engaged in conduct that would be reasonably regarded by members as disgraceful, dishonourable and unprofessional, in that she:
  - promised to begin an intimate relationship with the complainant once he terminated his involvement in the research program, a promise which a reasonable person would realize might encourage him to terminate the program prematurely, and an action which may have caused him harm as he did not have the benefit of the full program;
  - failed to encourage him to stay in the program once he informed her that he planned to quit the program before completion, which may have caused him harm as he did not have the benefit of the full program;
  - undermined the validity and integrity of the research she had been engaged to conduct, by engaging in actions which would have contaminated his participation and therefore contaminated the data which his participation might have provided to the project;
  - engaged in conduct which caused him to quit the research program prematurely thereby rendering the data generated by his participation incomplete; and
  - engaged in sexual relations with the complainant within two years of providing psychological services to him

**Reasons for Decision:**

- The largely undisputed evidence supported the conclusion that the program offered the potential for treatment in that:
  - the purpose of the program was to develop a treatment regime to address clinical deficits



- in order to qualify for the program, the complainant had to meet specified clinical criteria and that while not required to, Dr. Lada Kemenoff would have been expected to have read his medical records
- the program took place in a public institution concerned with health care and the principal investigator's reputation was a factor in the choice of the program
- although participants in the project were advised that there was no guarantee of immediate benefits, they were not dissuaded from hoping for them; the principal investigator stated that generally, anyone who participates in a program will expect to benefit themselves and that the complainant attended each week from another province attested to his motivation
- participants were advised that researchers could share any medically important test results with the participants' physicians
- the Consent Forms and Information Sheet used by the project identified the researchers as "Drs" and described the program as "COGNITIVE REHABILITATION"
- the intervention was individualized in that participants were encouraged to apply the techniques which they had been taught to their individual situations, followed by discussion of this
- although there was no individual monitoring of progress, Dr. Lada Kemenoff did meet with the participants at the end of each program module
- Dr. Lada Kemenoff stated that the complainant would not have been accepted into the program because his test scores were too high, but for his mother's "political and family connections"; although the principal investigator denied that this was true, from Dr. Lada Kemenoff perspective the complainant was not a true research subject
- The intervention constituted treatment and Dr. Lada Kemenoff and the other psychologists involved in the treatment were in a psychologist/patient relationship with the complainant, within the meaning of the practice of psychology, as set out in s.3 of the *Psychology Act*.
- Dr. Lada Kemenoff's participation in any form of kissing amounted to sexual behaviour and her agreement to date the complainant at the conclusion of the research project constituted a remark of a sexual nature given:
  - the intimate personal relationship which had developed while the complainant was still a patient, which Dr. Lada Kemenoff recognized at the time, was a breach of a normal psychologist/patient boundaries
  - the extent of the breach of boundaries, which included frequent personal telephone calls lasting up to 260 minutes
  - the fact that Dr. Lada Kemenoff knew of the complainant's wish to date her
- The complainant's recollection of the date of commencement of his sexual relationship with Dr. Lada Kemenoff was not sufficiently reliable as to meet the required standard of clear, cogent and convincing evidence in order to determine if the physical sexual intimacy had occurred while he was a participant in the program
- Even if Dr. Lada Kemenoff had not been providing treatment to the complainant as a patient or client, she was still providing psychological services as defined by the Standards of Professional Conduct, which include "research and scholarly activities"
- The purpose of the research program in which the complainant participated was described under the scope of practice set out in the *Psychology Act (1991)* which includes "maintenance and enhancement of physical, intellectual, emotional, social, and interpersonal functioning"

**Penalty:**

The following is a summary of the joint submission on penalty accepted by the panel:

- A reprimand, the fact of which is to be recorded on the public register
- Dr. Lada Kemenoff's certificate of registration is to be suspended for 20 months; 6 months of which to be suspended upon:
  - successful completion of a course on professional boundaries
  - a mental health assessment, with a report provided to the Registrar
  - implementation of all recommendations of the assessment, including any regarding involvement in therapy; If therapy is recommended, quarterly reports provided to the Registrar, regarding progress and concerns about ability to maintain appropriate boundaries
- A term will be imposed on Dr. Lada Kemenoff's certificate of registration that upon her return to practice, she will engage in a 12 month period of peer mentorship, with quarterly reports provided to the Registrar





- Dr. Lada Kemenoff will reimburse the College for up to \$5000.00 provided for therapy and counseling for the complainant

**Reasons for Penalty**

The following is a summary of the panel's reasons for penalty:

- Dr. Lada Kemenoff's actions constitute a serious breach of professional standards which had a negative effect on the complainant, with whom she was supposed to be in a helping relationship
- Her actions had a negative impact upon both the public institution where she was employed and the complainant's mother, and brought the profession into disrepute

**The panel found the following exacerbating factors:**

- The complainant was very vulnerable at the start of the program, only nine months after his major injuries and the loss of his wife
- Dr. Lada Kemenoff promised to engage in sexual activity with the complainant after he terminated his participation in the research project, thereby encouraging him to leave the project
- Sexual intercourse began almost immediately after the termination of the professional relationship

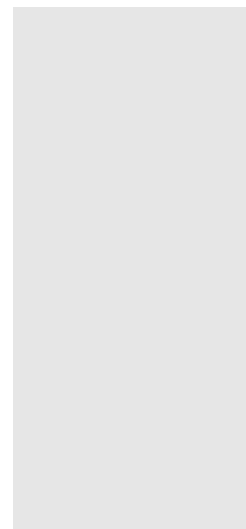
**The panel found that the mitigating factors included the following:**

- At the time of the sexual abuse and other breaches of professional standards, Dr. Lada Kemenoff was a young and inexperienced psychologist
- No evidence was presented that Dr. Lada Kemenoff is a predator
- Dr. Lada Kemenoff agreed to a substantial Agreed Statement of Facts, which shortened the hearing and reduced the stress for the complainant in giving evidence

**The panel weighed the following factors in determining the appropriate penalty:**

- Dr. Lada Kemenoff's potential for rehabilitation and restoration
- General deterrence for members of the College
- Specific deterrence for Dr. Lada Kemenoff
- Protection of the public
- The panel's desire to stress the seriousness of the misconduct and the harm that it has caused

*Further information about these proceedings is on the Public Register of the College and may be obtained by contacting the College of Psychologists of Ontario.*





# COLLEGE NOTICES

## Resigned

The following individuals have resigned their membership in the College.

Bouchard, Yvan Mario  
Leigh, Gillian  
Posluns, Donald  
Young, Arlene Ruth

## Retired Status

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.

Shaker, Yvonne Lorraine  
Yates, Elizabeth

## Deceased

The College has learned with regret of the death of **Dr. John Carson Bock** and **Dr. Anne-Marie Wall** and extends condolences to their families, friends and professional colleagues.





## HOLD THE DATE

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

**Monday, May 8, 2006**

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.

**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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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.

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## **SUPPLEMENTARY NOTES**

### **To Accompany the Standards of Professional Conduct (2005)**

The following notes are provided for the education and guidance of members to assist in understanding and complying with the Standards of Professional Conduct (2005). Some of the notes relate directly to a specific Standard and are reproduced along with the Standard to which they pertain. Others are topics not specifically addressed in the new Standards but which provide guidance to members on other important issues in practice.

#### **4.1 Responsibility for Supervised Psychological Services Providers**

Members shall assume responsibility and accountability for the actions and services of all supervised providers of psychological services, including but not limited to employees, students, trainees and members holding certificates of registration authorizing supervised practice, and shall ensure that: . . .

#### **Supplementary Note**

A member should ensure that those he/she supervises in providing psychological services adhere to the Standards of the College.

#### **6.1 Accuracy of Public Statements**

A member shall not knowingly make public statements that are false, misleading or fraudulent, concerning his/her psychological services or professional activities or those of persons or organizations with which he/she is affiliated. Accordingly, a member shall not misrepresent directly or by implication his/her professional qualifications such as education, experience, or areas of competence. Moreover, a member shall not misrepresent his/her qualifications by listing or displaying any affiliations with an organization that might be construed as implying the sponsorship or certification of that organization. A member may list or display an affiliation only if such sponsorship or certification does, in fact, exist.

#### **Supplementary Note**

A member should make reasonable effort to correct others who misrepresent the member's professional qualifications or associations. Similarly, a member should not permit, counsel or assist individuals who are not members to represent themselves as either a psychologist or a psychological associate or as offering psychological services except under supervision.

#### **6.2 Presentation of Qualifications**

In the presentation of his/her qualifications, a member shall conform to the following practices:

- a) a member shall show his/her registration certificate to a client upon request;
- b) a member shall represent himself/herself to the public as a member of the College by the use of the title Psychologist or Psychological Associate. This may be abbreviated to C.Psych. or C.Psych.Assoc., or a member may indicate that he/she is a "Member of the College of Psychologists of Ontario";
- c) the highest academic degree upon which registration is based shall immediately precede the professional title;
- d) clarification of area of psychological practice may be used by the addition of a qualifier either to the title Psychologist or Psychological Associate (e.g., Clinical Psychological Associate, Clinical Neuropsychologist) or by citing one or more areas of practice (practice in school psychology, practice limited to school psychology). The qualifier or citation must be consistent with one or more of the areas of practice in the registration guidelines;

- e) other degrees or professional titles, such as MBA, P.Eng., shall be specified when the area of study is relevant to the member's psychological practice;
- f) a member shall not qualify his/her title by citing membership in professional associations (e.g., OPA, OAPA, CPA, APA); and
- g) a member may qualify his/her title by citing a credential relevant to the practice of psychology in Ontario and issued by a recognized professional credentialing body where that organization conducts a formal written or oral examination of each applicant's knowledge, skills and qualifications.

**Supplementary Note**

**A.** Standard 6.2 b) states: "a member shall represent himself/herself to the public as a member of the College by the use of the title Psychologist or Psychological Associate. This may be abbreviated to C.Psych. or C.Psych.Assoc., or a member may indicate that he/she is a "Member of the College of Psychologists of Ontario". Below are appropriate examples.

Jane Doe, Ph.D., C.Psych.	Mr. J. Smith, M.Ed., Psychological Associate
Dr. Jane Doe, Ph.D., C.Psych.	Frank Brown, M.A., C.Psych.Assoc.(Supervised Practice)
Jane Doe, Ed.D., Psychologist	R. Dylan, MBA, Ed.D., Psychologist
Dr. J. Doe, Psychologist	Member of the College of Psychologists of Ontario
Dr. John Doe, C.Psych. (Supervised Practice)	Mr. J. Smith, M.Ed., Psychological Associate
Joan J. Smith, M.A., C.Psych.Assoc.	Member of the College of Psychologists of Ontario

**B.** Standard 6.2 c) states: "the highest academic degree upon which registration is based shall immediately precede the professional title." Below are appropriate examples.

J. Juniper, LL.B., Ph.D., C.Psych.	R. Dylan, MBA, Ed.D., Psychologist
Beth Smith, P.Eng., M.A., Psychological Associate	John Smith, Ph.D. (Special Education), M.Ed., C.Psych.Assoc.

**C.** Standard 6.2 d) states: "clarification of area of psychological practice may be used by the addition of a qualifier either to the title Psychologist or Psychological Associate (e.g., Clinical Psychological Associate, Clinical Neuropsychologist) or by citing one or more areas of practice (practice in school psychology, practice limited to school psychology). The qualifier or citation must be consistent with one or more of the areas of practice in the registration guidelines." The areas delineated in the guideline are: Clinical, School, Clinical Neuropsychology, Counselling, Forensic/Corrections, Health, Industrial/Organizational, and Rehabilitation. Below are appropriate examples.

Jane Doe, Ph.D., Clinical Neuropsychologist	John Smith, M.Ps., School Psychological Associate
Jane Doe, Ph.D., C.Psych. Industrial/Organizational Psychologist	John Smith, M.Ps., C.Psych.Assoc. School Psychological Associate
Jane Doe, Ph.D., C.Psych. Clinical and School Psychologist	John Smith, M.Ps., C.Psych.Assoc. Practice in Forensic Psychology

Examples of qualifiers or citations that would not be acceptable as they do not reflect an area of practice in the registration guidelines include:

John Smith, M.Ps., C.Psych.Assoc. Sports Psychological Associate	Jane Doe, Ph.D., Community Psychologist
---	---

**D.** Standard 6.2 g) states: “a member may qualify his/her title by citing a credential relevant to the practice of psychology in Ontario and issued by a recognized professional credentialing body where that organization conducts a formal written or oral examination of each applicant’s knowledge, skills and qualifications.” Below are appropriate examples.

Dr. J. Doe, Psychologist  
Diplomate in Clinical Psychology  
American Board of Professional Psychology

Jane Doe, Ph.D., C.Psych., ABPN

### **9.7 Client Records in a Common Filing System**

A member shall exercise appropriate care when placing information in a common record in an effort to ensure that his/her reports and recommendations are not misunderstood or misused by others who may have access to the file.

#### **Supplementary Note**

Due to the potential for harm from misinterpretation of raw data and a member’s duty to protect the security and respect the copyright of psychological tests, a member should make reasonable efforts to avoid placing raw data and test materials in a common file.

### **12.5 Relations with Current or Former Clients**

A member shall not enter into a sexual relationship with a current client or a former client where the psychological services were provided within the previous two years. This does not apply to relationships with employees of a corporate client unless the psychological service provided to the particular individual was either therapeutic or the individual was vulnerable to exploitation.

#### **Supplementary Note**

The Standards state that a member shall not enter into a sexual relationship with a former client for two years following the last professional contact. Even after two years however, a member should avoid such relationships except in the most exceptional circumstances. If a member is considering entering into a sexual relationship with a former client, there are a number of relevant factors a member should consider including:

1. the likelihood of adverse impact on the client;
2. the client’s current mental status
3. whether there continues to be a power imbalance that may be influencing the client’s decision;
4. the client’s personal history and any particular vulnerabilities of which the member ought to have been aware;
5. the nature, duration and intensity of the professional service;
6. the amount of time, beyond two years, since the last professional contact.

### **Additional Supplementary Notes**

#### **S.1 Maintenance of Competence**

A member should maintain his/her level of knowledge, skill and competence with respect to current professional and scientific developments that are related to his/her areas of practice and the services he/she provides.

## **S.2 Practice in Emerging Areas**

At times, a member may provide services in what would be considered an emerging area of practice. In such situations, a member should inform clients that the services being offered may not, as yet, have been subjected to extensive research and validation. As with any informed consent process regarding the provision of services, clients would be informed of the risks, benefits and alternatives available.

## **S.3 Duplication of Services**

A member should not provide or offer to provide services to a client who is known or should be known to be receiving similar from another provider, except in exceptional circumstances. Before agreeing to provide such services the member should discuss with the client the reasons for seeking services and the potential disadvantages of receiving similar services from two providers at once. A member should seek the client's consent to notify the other provider and coordinate service provision.



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**THE COLLEGE OF PSYCHOLOGISTS  
OF ONTARIO**  
**FINANCIAL STATEMENTS**  
**YEAR ENDED MAY 31, 2005**

**AUDITORS' REPORT**

TO THE MEMBERS OF COUNCIL  
THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

Auditors' Report	Page 1
Statement of Financial Position	2
Statement of Revenues and Expenses	3
Statement of Changes in Net Assets	4
Statement of Cash Flows	5
Notes to the Financial Statements	6 to 8

We have audited the statement of financial position of The College of Psychologists of Ontario as at May 31, 2005 and the statements of revenues and expenses, changes in net assets and cash flows 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 of 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, 2005 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles. In accordance with the Corporations Act (Ontario), we report that these principles have been applied on a basis consistent with that of the preceding year.

**"CLARKE HENNING LLP"**  
**CHARTERED ACCOUNTANTS**

Toronto, Ontario  
July 28, 2005

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT MAY 31, 2005**

	2005	2004
<b>ASSETS</b>		
Current assets		
Cash and equivalents	\$ 2,700,934	\$ 2,463,813
Prepaid expenses and sundry assets	18,572	20,424
	<u>2,719,506</u>	<u>2,484,237</u>
Investments (note 3)	658,196	413,094
Property and equipment (note 4)	246,001	280,083
	<u>3,623,703</u>	<u>3,177,414</u>
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable and accrued liabilities	190,456	126,404
Registration fees received in advance	1,030,103	1,024,830
Current portion of loan payable (note 5)	38,087	38,087
	<u>1,258,646</u>	<u>1,189,321</u>
Long term debt - loan payable (note 5)	212,652	250,739
	<u>1,471,298</u>	<u>1,440,060</u>
<b>NET ASSETS</b>		
Invested in property and equipment	246,001	280,083
Internally restricted - Core reserve fund (note 6)	691,725	635,925
Unrestricted	1,214,679	821,346
	<u>2,152,405</u>	<u>1,737,354</u>
	<u>\$ 3,623,703</u>	<u>\$ 3,177,414</u>

Approved on behalf of the Council:

[SIGNED] Maggie Gibson, Ph.D., C.Psych., President [SIGNED] Clarissa Bush, Ph.D., C.Psych., Member

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO**  
**STATEMENT OF REVENUES AND EXPENSES**  
**YEAR ENDED MAY 31, 2005**

	2005	2004
<b>Revenues</b>		
Registration fees	\$ 2,225,684	\$ 2,170,669
Examination fees	141,120	130,445
Interest	71,928	66,897
Miscellaneous income	29,464	25,158
	<u>2,468,196</u>	<u>2,393,169</u>
<b>Expenses</b>		
Administration	1,309,218	1,227,175
Professional services	121,403	118,205
Hearings	257,896	139,098
Examination and seminar costs	136,665	137,690
Governance	77,651	81,267
Investigations and resolutions	36,085	69,198
Registration	32,783	33,554
Professional organizations	31,611	27,111
Communication, education and training	33,884	17,553
Quality assurance	12,040	14,794
Government relations	3,909	-
	<u>2,053,145</u>	<u>1,865,645</u>
Excess of revenues over expenses for the year	<u>\$ 415,051</u>	<u>\$ 527,524</u>

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

STATEMENT OF CHANGES IN NET ASSETS

YEAR ENDED MAY 31, 2005

	2005			2004		
	Invested in Property and Equipment	Internally Restricted - Core Reserve Fund	Unrestricted	Total	Total	Total
Balance - at beginning of year	\$ 280,083	\$ 635,925	\$ 821,346	\$ 1,737,354	\$ 1,209,830	
Excess of revenues over expenses for the year	(52,700)	-	467,751	415,051	527,524	
Purchase of property and equipment	18,618	-	(18,618)	-	-	
Inter fund transfer	-	55,800	(55,800)	-	-	
Balance - at end of year	\$ 246,001	\$ 691,725	\$ 1,214,679	\$ 2,152,405	\$ 1,737,354	

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

STATEMENT OF CASH FLOWS

YEAR ENDED MAY 31, 2005

	2005	2004
Cash flows from operating activities		
Cash received from registration and application fees	\$ 2,370,729	\$ 2,369,138
Interest income	71,928	66,897
Miscellaneous income	29,464	25,158
Interest paid	(11,161)	(13,890)
Cash paid to employees and suppliers	(1,922,032)	(1,789,356)
	538,928	657,947
Financing activities		
Loan repayments	(38,087)	(38,087)
Investing activities		
Purchase of property and equipment	(18,618)	(18,840)
Investment purchases	(245,102)	(111,468)
	(263,720)	(130,308)
Change in cash and equivalents during the year	237,121	489,552
Cash and equivalents - at beginning of year	2,463,813	1,974,261
Cash and equivalents - at end of year	2,700,934	2,463,813
Cash and equivalents consists of:		
Cash	169,010	104,812
Short term investment pool	2,531,924	2,359,001
	\$ 2,700,934	\$ 2,463,813

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED MAY 31, 2005**

**1. PURPOSE AND ORGANIZATION**

The College of Psychologists of Ontario/L'Ordre Des Psychologues de L'Ontario ("College"), 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).

The College is a not-for-profit organization incorporated without share capital under the laws of Ontario and, as such, is exempt from income taxes.

**2. SIGNIFICANT ACCOUNTING POLICIES**

*General*

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles using the accrual method of accounting. Under the accrual method of accounting, revenues are recorded when earned and expenses are recorded when incurred.

*Cash and Equivalents*

Cash and equivalents consists of cash at bank and short term investment pool with investment broker.

*Investments*

Investments are recorded at cost plus accrued interest which approximates its market value.

*Property and Equipment*

Furniture and equipment are recorded at cost. Depreciation is provided on a straight line basis over the estimated useful lives of the assets at the following annual rates:

- Furniture and equipment - 5 years
- Computer equipment - 4 years

Leasehold improvements are recorded at cost and are amortized over the term of the lease.

*Revenue Recognition*

Registration fees are billed on a fiscal year basis commencing June 1st of each year and recognized as income on a fiscal year basis.

All other fees and income are recognized as revenue when the services are provided or earned.

*Use of Estimates*

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires the College's management to make estimates and assumptions that affect the amounts reported in the financial statements and related notes to the financial statements. Actual results may differ from these estimates.

**3. INVESTMENTS**

Investments consist of GIC's (guaranteed investment certificates), commercial instruments and government bonds at varying interest rates between 3.5% to 4.75%, maturing from 2005 to 2011.

**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**YEAR ENDED MAY 31, 2005**

**4. PROPERTY AND EQUIPMENT**

Details of property and equipment are as follows:

	<i>Cost</i>	<i>Accumulated Depreciation</i>	<i>Net Book Value</i>
			<i>2005</i>
Furniture and equipment	\$ 50,253	\$ 33,201	\$ 17,052
Computer equipment	40,105	25,124	14,981
Leasehold improvements	315,164	101,196	213,968
	\$ 405,522	\$ 159,521	\$ 246,001
			\$ 280,053

Administration expenses in the Statement of Revenues and Expenses includes depreciation expense of \$52,700 (\$52,441 - 2004).

**5. LONG TERM DEBT - LOAN PAYABLE**

Bank loan with interest at bank prime rate, repayable in monthly principal payments of \$3,174 plus interest. The loan is secured by a hypothecation of investments in the amount of \$346,000, and a general security agreement over the assets of the College.

	<i>2005</i>	<i>2004</i>
Bank loan	\$ 250,739	\$ 288,826
Less: current portion	38,087	38,087
	\$ 212,652	\$ 250,739

Principal repayments in each of the next five years and thereafter are as follows:

2006	\$ 38,087
2007	38,087
2008	38,087
2009	38,087
2010	38,087
Thereafter	190,435
	60,304
	\$ 250,739

Administration expense in the Statement of Revenues and Expenses includes interest on bank loan of \$11,161 (\$13,890 - 2004).

**6. NET ASSETS - INTERNALLY RESTRICTED - CORE RESERVE FUND**

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**  
**YEAR ENDED MAY 31, 2005**

**7. FINANCIAL INSTRUMENTS**

The College's financial instruments consist of cash and equivalents, investments, sundry assets and accounts payable. It is management's opinion that the College is not exposed to significant interest, credit or currency risk arising from these financial instruments. The fair value of these financial instruments approximate their carrying value due to the short term nature of the instruments.

**8. LEASE COMMITMENTS**

The College is committed to annual rental payments under leases for office equipment and premises, expiring 2011 as follows:

	<i>Premises</i>	<i>Equipment</i>
Fiscal year ending May 31		
2006	\$ 93,925	\$ 16,300
2007	100,450	16,300
2008	109,600	3,200
2009	109,600	-
2010	109,600	-
Thereafter	189,200	-
	<b>\$ 712,375</b>	<b>\$ 35,800</b>

In addition, the College is responsible for its proportionate share of operating costs and realty taxes on premises which in 2005 amount to \$17,200 (2004 - \$103,600).

**9. INDEMNIFICATION OF OFFICERS AND DIRECTORS**

The College has indemnified its past, present and future directors, officers and employees and volunteers against expenses (including legal expenses), judgments, suit or proceedings in which they are sued as a result of their involvement with the College, if they acted honestly and in good faith with a view to the best interest of the College. The College has purchased directors' and officers' liability insurance with respect to this indemnification. The maximum amount of any potential future payment cannot be reasonably estimated.

**10. COMPARATIVE FIGURES**

- (a) The comparative figures were audited by another firm of chartered accountants.
- (b) Certain of the comparative figures have been restated to conform with the statement presentation adopted for the current year.





**ELECTION NOMINATION FORM**  
**Electoral Districts 5 and 6**  
**Psychological Associate: ex-officio**  
**March 31, 2006**

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

We the undersigned members of the College of Psychologists of Ontario:

1. eligible to vote in Electoral District \_\_\_\_\_ nominate \_\_\_\_\_ as a candidate for election in Electoral District \_\_\_\_\_ (**five** nominators required)  
**or**
2. are psychological associates and nominate \_\_\_\_\_ as a candidate for election as the ex-officio psychological associate (**three** nominators required)

to the Council of the College on March 31, 2006.

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, 2006, to:**  
**The College of Psychologists of Ontario**