

## **Council Meeting Highlights**

### **March 29, 2018**

At its meeting on March 29, 2018, Council held a half-day meeting to review feedback in response to the Controlled Act Task Group Draft Consultation Documents. They also reviewed the draft policy, *Sexual Contact with Former Clients Within a Five-year Cooling Off Period* as well as a draft guideline, *Sexual Contact with Former Clients Beyond the Cooling Off Period*.

### **Controlled Act Consultation**

In response to the Minister's direction to CRPO to provide further clarity regarding the controlled act of psychotherapy, the Controlled Act Task Group (CATG) has been working hard to [draft consultation documents](#) and obtain feedback and suggestions from stakeholders. The CATG and staff have met with a number of stakeholders, including the Health Professions Regulatory Advisory Council (HPRAC), the other colleges whose members are authorized to perform the controlled act and the government's Psychotherapy Advisory Committee. The Advisory Committee was convened to provide advice to the Government of Ontario and the College to ensure that providers, their clients and their employers, as well as potential applicants to the profession, have the tools necessary to understand the controlled act of psychotherapy and to determine whether practitioners are performing it, as well as that the government is able to respond proactively to the documents provided to the Minister of Health and Long-Term Care by the College.

The controlled act survey launched in mid-March and many stakeholders provided input on the consultation documents. Council was provided with a brief presentation on the most current consultation results. The presentation slides can be found below. All survey results will be reviewed by the CATG at their next meeting.

Council approved, in principle, the proposed regulation: *Categories of Prescribed Therapies Involving the Practice of Psychotherapy*, with an amendment to the wording, as follows:

*"The following are the categories of prescribed therapies involving the practise of psychotherapy"*

Council passed a motion that will allow the Executive Committee to authorize the circulation of the final draft regulation recommended by the CATG for the required 60-day formal consultation period.

### **Draft Policy for Cooling Off Period**

CRPO's Client Relations Committee (CRC) began working on the draft policy, *Sexual Contact with Former Clients Within a Five-year Cooling Off Period*, in June 2017 when Bill 87, the *Protecting Patients Act, 2017*, came into force. Since that time, the CRC and staff have consulted with other Ontario regulators and jurisdictions, as well as reviewed current literature and best practices. Bill 87 will enforce a mandatory one-year cooling off period, but has given colleges the authority to define their own 'cooling off' periods via regulations. This draft policy is an interim solution that will be put in place while CRPO waits to be able to pass a regulation, as this process can be lengthy. Council authorized the 60-day circulation of the draft policy, which will be posted to CRPO's website in the coming days.

### **Draft Guideline for Beyond the Cooling Off Period**

The CRC also presented Council with a draft guideline related to the above-noted policy. The Committee will continue to work on the draft guideline *Sexual Contact with Former Clients Beyond the Cooling Off Period* and will present a final draft to Council in June.

### **Toronto Star Article**

The Registrar remarked on a [recent article](#) in the Toronto Star, noting that staff is aware of the proposed changes to regulatory governance that are discussed in the article and are confident that CRPO is well-positioned to adopt any best-practices that emerge from the work that the College of Nurses of Ontario and the Advisory Group for Regulatory Excellence are doing.



# **Controlled Act**

# **Consultation Documents**

## **Consultation and Survey Results**

March 29, 2018

**Carol Cowan-Levine, RP**  
Chair, CATG

**Deborah Adams**  
Registrar

# Overview

The CATG conducted in-person and phone meetings and launched a survey of stakeholders to obtain feedback on the documents that were developed in response to the Minister's direction to CRPO to develop a regulation, policy and other supporting documents to assist in bringing more clarity to the controlled act of psychotherapy as provided by RPs.

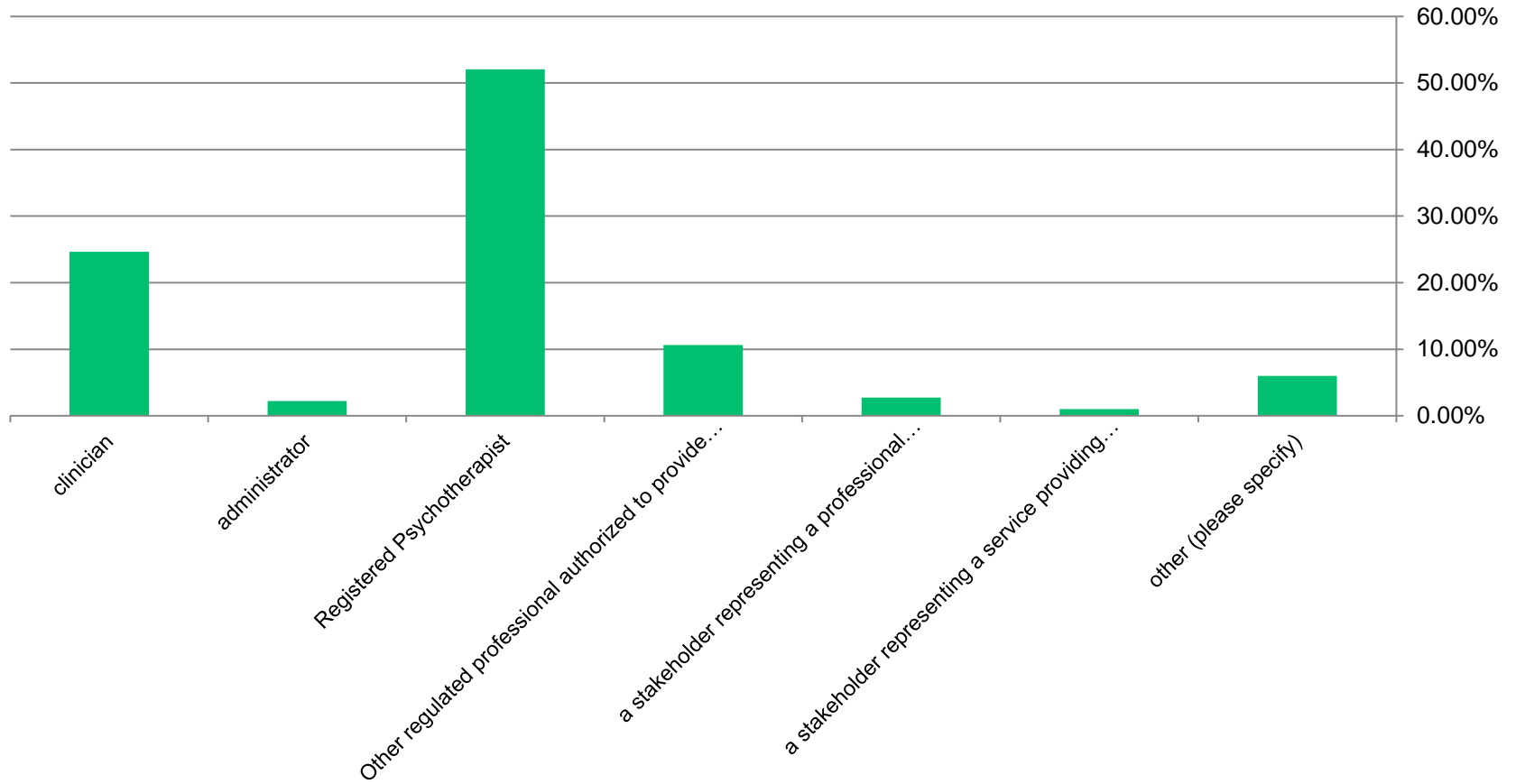
The results that follow are based on responses received up to March 28<sup>th</sup>, 2018 date.

## Documents under Review

- A. Psychotherapy with a Registered Psychotherapist
- B. Draft regulation: Categories of prescribed therapies involving the practice of psychotherapy
- C. Draft policy: Activities that are not part of the Controlled Act of Psychotherapy
- D. Companion Document for Registered Psychotherapists
- E. Self-assessment tool for unregulated practitioners
- F. Registered Psychotherapists: Information for Ontarians

# Respondents

367online as of March 28, 2010



## A. Psychotherapy with a Registered Psychotherapist

**Did the document, Psychotherapy with a Registered Psychotherapist, add to your understanding of psychotherapy?**

Yes	111	... it was written in a plain and concise language.
No	35	I'm a psychotherapist. It added to my understanding of how the document understands psychotherapy.
Somewhat	12	... there is a fine line between psychotherapy, counselling, and other items on your "non psychotherapy" list. It still isn't fully clear and is obviously subject to much interpretation.

# Psychotherapeutic Relationship

**Was the information on the psychotherapeutic relationship clear and helpful to you in understanding psychotherapy?**

Yes	122	...very helpful to delineate the broader categories AND to include activities outside the scope of practice.
No	20	... these basically outline the components of what would be expected in ANY helping profession. They are NOT unique to psychotherapy.
Somewhat	18	The definition is clear however obviously open to interpretation. This makes it difficult to narrow down what a therapeutic relationship looks like, as it is subjective to the experience of the clinician and the client.



## B. Draft regulation: Categories of prescribed therapies involving the practice of psychotherapy

**Do you agree that the five categories of prescribed therapies being proposed in the regulation capture the modalities that are typically used by RPs?**

Yes	22	The categories are good umbrellas for subsets of specific therapeutic practices.
No	6	
Somewhat	15	While any list is necessarily limited, this one seems adequate to the task.

## **B. Draft regulation: Categories of prescribed therapies involving the practice of psychotherapy**

**Are there any categories that you would add?**

- Animal-assisted Therapies
- Bioenergetic Analysis
- Bio-psycho-social-spiritual focused Therapy
- Collaborative Therapies
- Existential Therapies
- Integrative Psychotherapies
- Interpersonal Therapy
- Marital and Family Therapy
- Positive Psychology
- Spiritual / Faith-based Therapies
- Trauma-Based / Trauma-Informed Therapy
- Traumatic Incident Reduction

## C. Draft policy: Activities that are not part of the Controlled Act of Psychotherapy

**Did the Draft Policy add to your understanding of the activities that – in isolation and the absence of a psychotherapeutic relationship - are considered to be outside the scope of psychotherapy?**

Yes	104	The statement the "absence of psychotherapeutic relationship" helped clarify the difference between psychotherapy and the listed ancillary duties. This creates some space for other disciplines to provide care without having to be registered.
No	25	Because few of these actually do happen outside of the psychotherapeutic relationship as defined ...How does "coaching" (especially on a one-to-one basis) differ from the the kind of role defined by the psychotherapeutic relationship?
Somewhat	12	... but still leaves some questions. For example, supportive counselling where active listening interventions are used.

## **C. Draft policy: Activities that are not part of the Controlled Act of Psychotherapy**

**Are there any activities that you would add?**

- ABA
- Addiction work
- Life coaching
- Meditation
- Mindfulness programs
- Milieu therapy /milieu-based interventions
- Parental coordination
- Service coordination
- Sex therapy
- Spiritual / Faith-based guidance

## D. Companion Document for Registered Psychotherapists

**Did the document, Companion Document for Registered Psychotherapists, add to your understanding of the categories of prescribed therapies?**

Yes	111	I like how the subcategories encompassed the branches of psychotherapy really well.
No	22	
Somewhat	5	There are a few ways to categorize therapies, but I understand why the examples given have been included under the specified categories and the apparent rationale for the five categories.

## D. Companion Document for Registered Psychotherapists

**Did the document, Companion Document for Registered Psychotherapists, add to your understanding of the activities that are considered to be outside the scope of psychotherapy?**

Yes	100	... "in the absence of a formal psychotherapeutic relationship" is the important phrase ...
No	38	Ultimately, 'psychotherapeutic relationship" is not a helpful distinction. Many of the activities on this list also call upon an intentional helper-helpee relationship that is very difficult to distinguish from a psycho-therapeutic relationship.
Somewhat	7	Some confusion , [e.g.,] "a provider who undertakes these activities in the absence of a formal psychotherapeutic relationship is not practicing psychotherapy" - if a provider *is* providing one or more of these *within* a formal psychotherapeutic relationship (e.g., seeing an EAP counsellor who is a C. Psych, RSW, or RP), would they or would they not be practicing psychotherapy, even though in that particular session they might have been more focused on say, safety planning.

## D. Companion Document for Registered Psychotherapists

**Considering that the examples of psychotherapy modalities are not intended to be exhaustive, are there any additional modalities that you strongly feel should be included?**

- Spiritual and Psychospiritual Care examples
- Image Transformation Therapy
- Feeling State Protocol
- Existential Therapy examples
- Transpersonal Therapies
- Brainspotting
- Internal Family Systems
- Structural Disassociation
- Accelerated Experiential Dynamic Psychotherapy
- Bioenergetic Analysis
- Traumatic Incident Reduction
- Core energetics
- Psychodrama
- Cognitive Processing Therapy
- Applied Metapsychology

## E. Self-assessment tool for unregulated practitioners

### Was this self-assessment tool clear?

Yes	102	The tool was impressive in its clarity and helpful direction.
No	16	The tool is too vague to determine whether or not someone is practicing psychotherapy.
Somewhat	11	... you lay the burden on the practitioner of deciding about "serious disorder" which may "seriously impair" which is so unresolvable ... Not your fault this part is "unclear"!



## F. Registered Psychotherapists: Information for Ontarians

**Did the document, Registered Psychotherapists: Information for Ontarians, add to your understanding of psychotherapy as provided by an RP?**

Yes	83	Really excellent document. Congratulations on grappling successfully with an unwieldy thing. You have nailed it!
No	30	The document would be confusing for the general public, in particular the section on What is a controlled act?
Somewhat	6	... still need to add examples, using regular daily language.

# Specific Consultations

## Consultations with CATG and staff

Health Professions Regulatory Advisory Council

Controlled Act Colleges – CNO, CPO, COTO, OCSWSSW

Ministry of Health & Long-Term Care

# Next Steps

- March 29'18: Council review and approval of proposed regulation in principle
- April 6'18: Consultation continues
- CATG review of all feedback received
- April 12'18: (if directed by Council) Executive authorization to circulate proposed regulation
- June 28'18: Council's final approval before submission to Minister

# Questions / Comments?