

**Council Minutes**  
**March 29, 2018**

Approved: \_\_\_\_\_

Present Council Members	Staff Members
<ul style="list-style-type: none"> <li>• Andrew Benedetto, RP (President)</li> <li>• Shelley Briscoe-Dimock, RP</li> <li>• Tapo Chimbanga, RP (<i>via teleconference</i>)</li> <li>• Gary Cockman</li> <li>• Carol Cowan-Levine, RP</li> <li>• Mary Kardos Burton</li> <li>• Shikha Kasal (<i>via teleconference</i>)</li> <li>• Sheldon Kawarsky (<i>via teleconference</i>)</li> <li>• Kenneth Lomp, RP</li> <li>• Malcolm MacFarlane, RP (Vice-President)</li> <li>• Len Rudner</li> <li>• Steven Stijacic (<i>via teleconference</i>)</li> <li>• Kevin VanDerZwet Stafford, RP</li> </ul>	<ul style="list-style-type: none"> <li>• Deborah Adams, Registrar</li> <li>• Jo Anne Falkenburger, Director of Operations and HR</li> <li>• Amy Fournier, Executive Coordinator (Recorder)</li> <li>• Shauna Grey, Manager, Communications</li> <li>• Sarah Fraser, Acting Manager, Registration</li> <li>• Lene Marttinen, Manager, Quality Assurance</li> </ul>
Council Member Regrets	
<ul style="list-style-type: none"> <li>• Barbara Locke Billingsley</li> </ul>	

**1. Welcome and Opening Remarks**

The Chair, A. Benedetto, called the meeting to order at 9:32 AM and welcomed all present.

**2. Approval of Agenda**

The Chair introduced the draft agenda.

**MOTION C-29MAR2018 – M01:** Moved by Kenneth Lomp and seconded by Mary Kardos Burton

That the agenda of the March 29, 2018, meeting of Council be approved as presented.

**CARRIED**

### 3. Conflict of Interest Declarations

The Chair asked Council members to declare any conflicts of interest. No conflicts of interest were raised.

### 4. President's Remarks

A. Benedetto, President and Chair, thanked council for making time for this meeting, noting that the meeting was an addition to the 2018 schedule in light of the Minister of Health's proclamation in the December 21, 2017 Health Bulletin regarding the Controlled Act of Psychotherapy. In order to comply with the July 1, 2018 deadline for submission of a regulation on the prescribed categories of therapies, the Controlled Act Task Group (CATG) has been working diligently to draft materials and obtain feedback and approvals. The Chair thanked the CATG members, Registrar and support staff in facilitating this work.

D. Adams, Registrar, informed Council of a recent [Toronto Star article](#) that focuses on the College of Nurses of Ontario's [Governance Report](#). Many of the Federation of Health Regulatory Colleges of Ontario (FHRCO) are considering changes to the governance model that would support a more proactive approach to regulation. The CRPO is in an excellent position to learn from other colleges as we move forward with strategic planning and governance policies. D. Adams also noted that the College of Psychologists of Ontario (CPO) has recently made changes to their standards regarding the CPO's expectations around supervision of non-CPO members solely for the purpose of billing and in the provision of the controlled act. This topic will be discussed in more detail at the June Council meeting, as the CRPO seeks to understand the implications of these changes for the CRPO's membership.

### 5. Controlled Act Task Group Consultation

C. Cowan-Levine, Controlled Act Task Group Chair, expressed appreciation to task group members and the Registrar for their ongoing hard work. Council was informed that since February 2018, the CATG has had two task group meetings, one meeting with the Health Professions Regulatory Advisory Council (HPRAC) and a meeting with the Ministry of Health's Controlled Act Advisory Committee, which had a variety of different ministries present to take part in the conversation and contribute to the draft consultation documents.

C. Cowan-Levine noted that the draft consultation documents included in the meeting package have been reviewed by Council members, and much thoughtful and informative feedback was received and incorporated into the document. The document has been posted to the CRPO website for stakeholder review, with a link to an accompanying survey to provide comments. The survey will remain open until April 6, but Council has been provided with the most up-to-date response from the consultation. In total, the survey has been sent out to approximately 7,500 individuals. As of March 28, 2018, 365 respondents have completed the survey.

C. Cowan-Levine walked Council through the documents under review, noting where feedback was received and changes were made. In an overall review, HPRAC suggested increasing public information, specifically looking at the controlled act of psychotherapy versus the broader notion of psychotherapy. D. Adams also noted that she has met with the registrars of the other controlled act Colleges (College of Psychologists of Ontario, the Ontario College of Social Workers and Social Service Workers, the College of Nurses of Ontario and the College of Occupational Therapists of Ontario) and they are all supportive of the direction that the CRPO is taking, with the suggestion that "serious disorder" be more clearly defined.

D. Adams provided a brief presentation to Council that included preliminary survey results and feedback. The feedback received from the stakeholder consultation survey was largely positive and supportive. D. Adams highlighted modalities that were suggested to be added to the document. The Ministries on the CAAC also provided feedback on the documents. It was noted that Ministries' feedback was more technical in nature and tended to focus more on the implications of how the documents might work within a larger framework of mental health and community services. The CATG will be reviewing survey results in more detail at their next meeting.

The Council then went on to discuss the proposed regulation, *Categories of Prescribed Therapies Involving the Practice of Psychotherapy*. After some discussion Council suggested amending the wording in the draft regulation to read as follows:

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

Council felt that the addition of the word 'the' added clarity and specificity.

**ACTION:** Post the updated survey results presentation slides with Council Highlights.

**MOTION C-29MAR2018 – M02:** Moved by Carol Cowan-Levine and seconded by Gary Cockman

That the Council approve, in principle, the proposed regulation: *Categories of Prescribed Therapies Involving the Practice of Psychotherapy*.

**CARRIED**

**MOTION C-29MAR2018 – M03:** Moved by Kenneth Lomp and seconded by Shelley Briscoe-Dimock

That Council charge the Executive Committee with approving a final draft recommended by the CATG and directing staff to circulate the regulation for the required 60-day formal consultation period.

**CARRIED**

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

C. Cowan-Levine, Client Relations Committee Chair, presented the draft policy for *Sexual Contact with Former Clients Within a Five-year 'Cooling Off' Period* and provided Council with background information on the development of the policy. It was noted that work on this draft policy began in June 2017, when Bill 87, *Protecting Patients Act, 2017*, came into force and since then, the committee and staff have consulted with other Ontario regulators and other jurisdictions, and performed an extensive review of literature and best practices of the profession.

There is a range of thinking on this issue, and other regulators each have their own views on 'cooling off' periods and how long those periods should be, ranging from 'never' to one year, to five years. Bill 87, *Protecting Patients Act, 2017*, will enforce a mandatory one-year cooling off

period. The draft policy being presented proposes a five-year cooling off period for CRPO members.

D. Adams noted that this draft policy is an interim solution that will be put in place while the CRPO waits for the government to proclaim into force the ability of College's to be able to pass a regulation extending the cooling off period in the RHPA. It is likely that we will have this ability before the fall of 2018.

**MOTION C-29MAR2018 – M04:** Moved by Kevin VanDerZwet Stafford and seconded by Mary Kardos Burton

That the Council authorize the 60-day circulation of the draft *Sexual Contact with Former Clients Within a Five-year Cooling off Period Policy* as presented.

**CARRIED**

### **7. Draft Guideline on Post-'Cooling Off' Period**

C. Cowan-Levine, Client Relations Committee Chair, introduced the draft guideline, noting that the intention of the document is to inform both members and the public about expectations related to when it is never appropriate for an RP to have a relationship with a former client. In the future, the guideline may be used as a benchmark for Inquiries, Complaints and Reports Committee (ICRC) and Discipline Committee panel deliberations as related matters come forward.

Council members reviewed and discussed the draft guideline and sought further clarification from the committee regarding power imbalances. They discussed whether or not more or fewer examples and scenarios were required. Ultimately, Council felt that the intention of the guideline was appropriate but that the draft required more work in order to be useful to members. The document will go back to CRC for further review and will come back to the Council table in June.

**ACTION:** Draft Guideline on Post-'Cooling Off' Period will go back to CRC for further revision and will come back to Council for review in June.

### **8. New Business and Call for Agenda Items**

None provided. Next Council meeting is scheduled to take place on June 28, 2018.

### **9. Adjournment**

**MOTION C-29MAR2018 – M05:** Moved by Gary Cockburn and seconded by Pat Rayman.

That the meeting be adjourned at 12:03 PM.

**CARRIED**