

Council Minutes June 28, 2018

Present Council Members	Staff Members
<ul style="list-style-type: none"> • Andrew Benedetto, RP (President) • Barbara Locke Billingsley • Shelley Briscoe-Dimock, RP • Gary Cockman • Carol Cowan-Levine, RP • Mary Kardos Burton • Shikha Kasal • Kenneth Lomp, RP • Malcolm MacFarlane, RP (Vice-President) • Pat Rayman, RP • Len Rudner • Steven Stijacic • Kevin VanDerZwet Stafford, RP 	<ul style="list-style-type: none"> • Deborah Adams, Registrar • Janice D'Souza, Registration Coordinator • Jo Anne Falkenburger, Director of Operations and HR • Amy Fournier, Executive Coordinator (Recorder) • Lene Marttinen, Manager, Quality Assurance • Mark Pioro, Director, Professional Conduct & Deputy Registrar
Council Member Regrets	
<ul style="list-style-type: none"> • Sheldon Kawarsky • Miranda Monastero, RP 	

1. Welcome and Opening Remarks

A. Benedetto, President and Chair, called the meeting to order at 9:30 a.m. He congratulated newly elected member in District 5, Miranda Monastero, and re-elected member Kevin VanDerZwet Stafford in District 1. The Chair thanked those who chose to run for election in their districts as well as those who cast a vote.

2. Approval of Draft Agenda

The Chair introduced the draft agenda.

MOTION C-28JUN2018 – M01: Moved by K. Lomp, seconded by C. Cowan-Levine

That the agenda of the June 28, 2018, meeting of Council be approved as presented.

CARRIED

3. Approval of Draft Minutes

The Chair introduced the draft minutes from the February 22, 2018 Council meeting. Minor copyediting errors were corrected.

MOTION C-28JUN2018 – M02: Moved by G. Cockburn, seconded by M. Kardos Burton

That the draft minutes of the February 22, 2018, meeting of Council be approved as amended.

CARRIED

The Chair introduced the draft minutes from the March 29, 2018 Council meeting. No changes were made to the draft minutes.

MOTION C-28JUN2018 – M02: Moved by M. MacFarlane, seconded by S. Stijacic

That the draft minutes of the March 29, 2018, meeting of Council be approved as amended.

CARRIED

4. Conflict of Interest Declarations

None declared.

5. President's Remarks

A. Benedetto, President and Chair, provided Council members and observers with a brief history of psychotherapy's path to regulation, highlighting the work of HPRAC, the CRPO transitional Council and ongoing research and consultation related to the controlled act of psychotherapy. The Chair noted that these early efforts are important to consider in light of the direction received from the Minister of Health and Long-Term Care (MOHLTC) in December 2017, compelling the CRPO to provide clarity related to the controlled act of psychotherapy and provide the MOHLTC with a regulation submission by July 1, 2018. The Controlled Act Task Group (CATG) was formed to do the work of developing the regulation and supporting documents. The CATG spent many hours researching, drafting and engaging with stakeholders in the development of the regulation and supporting documents. A. Benedetto thanked all Council members for their dedication and time spent on this work.

6. Registrar's Report

D. Adams, Registrar, noted that updates related to the majority of items covered in her submitted report would be addressed as agenda items to be discussed later in the meeting. D. Adams informed Council that Denise Cole, Assistant Deputy Minister of Health, sent her regrets for today's meeting, but that Ministry staff asked that she extend her thanks to the CATG and Council on moving the proposed regulation through to submission.

7. Committee Reports to Council

• 7.1. Client Relations Committee

C. Cowan-Levine, Client Relations Committee Chair, introduced the report noting that the draft policy and guidelines related to *Sexual Contact with Former Clients* would be discussed later in the meeting.

• 7.2. Discipline

S. Kasal, Discipline Committee Chair, informed Council that there was a Discipline hearing in January 2018 and the decision and reasons are now posted to the CRPO

website. There is currently one referral to discipline awaiting scheduling for a hearing.

- **7.3. Examination**

K. Lomp, Examination Committee Chair, thanked CRPO staff and committee members for their work on the committee, noting that a meeting was held on June 19, 2018 to discuss a decision tree for examination appeals as well as an examination appeals policy. The committee reviewed results of the most recent sitting of the examination, which took place in April 2018. The sitting was the largest sitting to date.

- **7.4. Executive**

A. Benedetto, Executive Committee Chair, noted that the Executive performs an extensive review on issues that come forward from committees. One issue that has recently been brought forward is Council member attendance at meetings of the full Council. A. Benedetto noted that Council members are expected to attend Council meetings in person. The College will no longer be routinely accommodating requests for calling in to Council meetings via teleconference, as in-person attendance is best-practice at a public meeting. If Council members are unable to attend in person, they are asked to send their regrets. A. Benedetto noted that at a committee level, the CRPO has been making use of Zoom videoconferencing to facilitate remote attendance at meetings. In addition, staff is now circulating draft plenary committee meeting minutes to committee chairs typically within one week of the scheduled meeting date. Council was also informed that Executive Committee nomination packages are being provided at today's meeting so that members can consider if they wish to stand for the Executive elections taking place at the September 13 Council meeting. Nominations must be submitted by August 30.

- **7.5. Inquiries, Complaints & Reports**

K. VanDerZwet Stafford thanked staff for their work on preparing cohesive panel packages, noting that the complaints are getting more complex and that panel members remain diligent in their work and involvement. K. VanDerZwet Stafford also noted that the committee is engaged with improving the process of considering how ICRC does its work by participating in training activities and reviewing their approach.

- **7.6. Nominations & Elections**

P. Rayman, Nominations and Elections Committee Chair, informed Council that the committee met on June 25, 2018. P. Rayman thanked former Council and committee member, T. Chimbganda for her contributions to the committee and congratulated K. VanDerZwet Stafford on his re-election in District 1 and M. Monastero on her election in District 5. She noted that voter turnout was 14% overall, which is on par with previous CRPO election years. P. Rayman noted that the committee discussed whether or not to amalgamate Districts 5 and 6, due to the lack of candidates in those districts. The committee ultimately decided to pursue more vigorous member outreach in those districts. It was also noted that the committee discussed potential by-law changes related to the administration of the election to be considered for the next by-law review.

- **7.7. Quality Assurance**

M. Kardos Burton, Quality Assurance Committee Chair, thanked staff and committee members for their work and noted that the Informed Consent Workbook has been

posted to the CRPO website. There is still more work to do regarding Prescribed Regulatory Education (PRE) and this will come back to Council at a future meeting.

- **7.8. Registration**

M. MacFarlane, Registration Committee Chair, informed Council that the majority of the committee's work has been devoted to panels and there has been excellent progress made in getting through the grandparenting applications. The committee hopes to complete the grandparenting application panel reviews by the end of fiscal 2018. Both staff and panel members have been working diligently on each panel case with the understanding that people's livelihood are impacted by the outcomes of the panel decisions.

8. **Council Education Session:** "Regulating in the Public Interest" presented by Deanna Williams

9. **Draft Regulation: Categories of Prescribed Therapies Involving the Practice of Psychotherapy**

C. Cowan-Levine, Controlled Act Task Group (CATG) Chair, introduced the draft regulation noting that an enormous amount of work has gone into the draft regulation. C. Cowan-Levine extended her thanks to Zoe Soper and Ross Smith from the Ministry of Health and Long-Term Care (MOHLTC) who have been involved with this work since proclamation of the *Psychotherapy Act*. The MOHLTC has been supportive throughout the process of the CATG's work and has ensured that other government ministries are included in discussions allowing them to provide helpful feedback in drafting these materials.

The CATG has met several times since March 29, 2018, including an in-person meeting with the Ministry on May 3, 2018. D. Adams has consulted extensively with several sectors, including sexual abuse and domestic violence, child and youth services and addictions and mental health, going above and beyond what is expected in the 60-day public consultation process. C. Cowan-Levine extended her gratitude to D. Adams for her extraordinary work. She also thanked M. MacFarlane, A. Benedetto, S. Stijacic and K. VanDerZwet Stafford, all members of the CATG, for their hard work and resilience.

C. Cowan-Levine noted that all feedback was read and considered and that some changes resulted to the accompanying CATG documents, but not to the regulation itself. C. Cowan-Levine asked that the Council approve the draft regulation *Categories of Prescribed Therapies Involving the Practice of Psychotherapy* for submission to the Ministry of Health and Long-Term Care.

MOTION C-28JUN2018 – M3: Moved by K. VanDerZwet Stafford, seconded by S. Briscoe-Dimock

[Be it moved] That Council approve the proposed regulation, *Categories of Prescribed Therapies Involving the Practice of Psychotherapy* for submission to the Ministry of Health and Long-Term Care as presented.

In favour:

A. Benedetto
S. Briscoe-Dimock
G. Cockman

C. Cowan-Levine
M. Kardos Burton
S. Kasal
B. Locke Billingsley
K. Lomp
M. MacFarlane
P. Rayman
L. Rudner
S. Stijacic
K. VanDerZwet Stafford

Opposed:

None.

Abstained:

None.

CARRIED

10. Proposed By-Law Amendments

A. Benedetto, President and Chair, introduced the proposed by-law amendments, and provided a brief PowerPoint presentation to Council specifically focusing on the feedback that was received regarding the membership fee increase.

A. Benedetto noted that 173 individuals responded to the by-law consultation, with 97 indicating that they do not support the fee increase and 10 indicating that they do support the fee increase.

Membership and administrative fees are the basis for CRPO delivering its mandate and mission. The Executive Committee acknowledges this is a new profession and fee increases are seldom supported by the membership, but fees are a necessary part of what we do as a regulatory college.

Fees fund investigations, complaints, reports and referrals to discipline. Fees also allow the College to administer a robust quality assurance program. There are often legal costs associated with complaints and discipline cases; these take a significant amount of resources to ensure that the process is transparent and fair for all members. In addition, the College is required to have a financial reserve for clients who are sexually abused by members. As indicated in the *Regulated Health Professions Act (RHPA)* the College must provide these services to the public to ensure we are fulfilling our mandate, regardless of the size of the membership.

MOTION C-28JUN2018 – M04: Moved by G. Cockburn, seconded by L. Rudner

[Be it moved] That Council approve the proposed by-law amendments as presented.

CARRIED

11. Sexual Contact with Former Clients

- **11.1. Draft Policy *Sexual Contact with Former Clients within 5-Years Post Termination of Care***

C. Cowan-Levine, Client Relations Committee Chair, introduced the policy, which was circulated for 60 days to membership. The feedback received in this consultation was considered by CRC. The Chair also noted that the term 'cooling off' was no longer being used and so the proposed policy will move forward with the new title as presented. She noted that the College of Physicians and Surgeons of Ontario (CPSO) submitted a letter in support of the 5-year post termination of care period.

The Chair reminded the Council that this policy is an interim measure as a regulation setting out the 5-year post termination time frame will take some time as the next stages of Bill 87, the *Protecting Patients Act*, are determined.

MOTION C-28JUN2018 – M05: Moved by K. Lomp, seconded by S. Stijacic

[Be it moved] That Council approve the adoption of the policy *Sexual Contact with Former Clients within 5-Years Post Termination of Care* as presented.

CARRIED

- **11.2. Draft Guideline *Sexual Contact with Former Clients beyond 5-Years Post Termination of Care***

C. Cowan-Levine introduced the revised guideline and thanked Council and committee members for their feedback on the first draft, which was presented to Council in March 2018. The Chair reminded the Council that much of the feedback was around what type of information needed to be included in a guideline. Council members suggested guidance, examples and tips rather than an exhaustive itemized list.

The guideline is intended to address how, in some cases sexual conduct with a client will never be appropriate. It is also meant to provide a heightened awareness to members of their obligations as regulated providers in the form of guiding principles. Council discussed the draft guideline and asked for clarification around some of the wording and intention of particular pieces.

MOTION C-28JUN2018 – M06: Moved by M. Kardos Burton, seconded by C. Cowan-Levine

[Be it moved] That Council approve the draft guideline, *Sexual Contact with Former Clients Beyond 5-Years Post Termination of Care* as amended for 60-day public consultation.

CARRIED

12. Guideline on *Disclosing Information to Prevent Harm*

K. VanDerZwet Stafford, Inquiries, Complaints and Reports Committee Chair, introduced the guideline and provided background on how the guideline was developed by the ICRC. K. VanDerZwet Stafford worked closely with M. Piore taking all feedback from Council and committee into consideration, including consulting with crisis centres and HIV and AIDS groups to ensure that the guideline accurately reflected best practices for this community. The ICRC has reviewed and approved this most recent draft and the committee is now seeking final approval from Council.

MOTION C-28JUN2018 – M07: Moved by G. Cockman, seconded by S. Stijacic

[Be it moved] That Council approve the draft guideline, *Disclosing Information to Prevent Harm* as presented.

CARRIED

13. Question Period

S. Briscoe-Dimock, professional member, asked a question regarding the College of Psychologists of Ontario's position on clinical supervision of the controlled act and the implications this may have on RPs.

The CRPO has [posted detailed information](#) on supervision to the website to assist members with questions related to clinical supervision. Members need to clearly demonstrate that they are being supervised appropriately and in accordance with College standards. Ultimately, RPs are held accountable to the standards of the CRPO. Staff also noted that they continue to work with colleagues at CPO to understand and clarify their position.

14. Adjournment

MOTION C-28JUN2018 – M08: Moved by G. Cockman, seconded by S. Stijacic

[Be it moved] That the meeting be adjourned at 2:52 p.m.

CARRIED

Next Meetings:

- September 13, 2018
- November 29, 2018