

**COLLEGE OF ALBERTA PSYCHOLOGISTS
STANDARDS OF PRACTICE (2005)**

Definitions 1 In these standards,

- (a) "psychologist" means a person who has been issued a certificate of registration under the *Health Professions Act* and who holds a practice permit as a member of the College of Alberta Psychologists;
- (b) "client" means a recipient of professional services and includes
 - (i) in respect of a minor or an individual for whom a guardian has been appointed, the guardian unless otherwise provided in these standards, and
 - (ii) in cases where professional services are provided to benefit a corporate entity or organization rather than an individual, the corporate entity or organization;
- (c) "confidential information" means information
 - (i) that is revealed by a client to a psychologist, and
 - (ii) that may not be disclosed by the psychologist except in accordance with sections 18 to 32 of this Code;
- (d) "court order" means the written or oral direction of a court of competent jurisdiction;
- (e) "professional relationship" means a mutually agreed upon relationship between a psychologist and a client for the purpose of the client's obtaining professional services;
- (f) "professional services" means all actions of psychologists in the context of their professional relationships;
- (g) "psychologist" means a Psychologist and a registrant;
- (h) "registrant" means a person other than a Psychologist who is registered under the regulations made pursuant to the *Health Professions Act*;
- (i) "supervisee" means any person who provides or is in training to provide professional services under the authority of a psychologist.
- (j) "informed consent" means consent that is given under the following conditions:
 - (i) adequate disclosure of information by the psychologist,
 - (ii) the client understanding the information, and
 - (iii) the client expressing a voluntary choice.

- (k) "Retainer money" shall mean money that is requested or received from, or on behalf of a client, to be used in whole or in part for payment for professional services yet to be provided.

INFORMED CONSENT

- Informed Consent** 2(1) Psychologists shall obtain the informed consent of all persons who are competent to give such consent for psychological services provided to them except in circumstances of urgent need (e.g., disaster or other crisis). In urgent circumstances, psychologists may proceed in accordance with the expressed preferences of such persons, and obtain informed consent as soon as possible.
- (2) Psychologists shall carry out informed consent processes with those persons who are legally responsible or appointed to give informed consent on behalf of persons not competent to consent on their own behalf, seeking to ensure respect for any expressed preferences of persons not competent to consent.
- (3) Psychologists shall provide, in obtaining informed consent, such information as a reasonable person would want to know to make a decision to consent to the service. The psychologist must relay this information in language that the persons understand (including providing translation into another language, if necessary) and will take whatever reasonable steps are needed to ensure that the information is understood.
- (4) Psychologists shall provide new information in a timely manner, whenever such information becomes available and is significant enough that it reasonably could be seen as relevant to the original or ongoing informed consent.
- (5) Psychologists shall take all reasonable steps to obtain consent that is not given under conditions of coercion or undue pressure.
- (6) Psychologists shall document the discussion held with their clients and whether informed consent was obtained.

COMPETENCE

- Limits on Practice** 3(1) Psychologists shall limit practice and supervision to the areas of competence in which proficiency has been gained through education, training or experience.
- Maintaining Competency** 4(1) Psychologists shall maintain competency in the areas in which they practice through continuing education or consultation with their peers in conformance with current professional standards.
- Adding New Services and Techniques** 5(1) A psychologist, when developing competency in a professional service that is new to the psychologist, shall engage in ongoing consultation with a psychologist or other professional who has expertise in that area and shall seek appropriate education or training in the new area.

PROVIDING SUPPORTABLE SERVICES

Referral 6 Psychologists shall provide psychological services that are based upon the needs and relevant characteristics of the client, and shall either

- a) employ reasonable or generally accepted psychological theory and knowledge, empirical data, or best practice documents in psychology,
- or
- b) Inform their clients of the innovative nature of the service.

In the case of either a) or b), psychologists must inform their clients of the potential associated risks when obtaining informed consent for the service.

7 Psychologists shall make or recommend referrals to other professional, technical or administrative resources when referrals are in the best interests of clients.

Sufficient Professional Knowledge

8(1) Psychologists shall provide professional services, information or advice only within an established professional relationship except when providing general educational information.

(2) Psychologists rendering a professional opinion about a person that has or could have implications for that person's legal or civil rights (for example, about the fitness of a parent in a custody hearing) shall not do so without direct and substantial professional contact with or a formal assessment of that person.

(3) Notwithstanding subsection 2 above, psychologists may render an opinion about reports prepared by other practitioners, providing that the limits on available information are clearly identified.

(4) When conducting an assessment of a person, psychologists shall base opinions on, and limit opinions to, the professional knowledge base of the discipline.

(5) As inferences involve a degree of confidence, psychologists shall recognize or document any limitations regarding the confidence they have regarding their results.

Fulfillment of Terms of Agreement

9 Psychologists shall fulfill all terms of an agreement with a client, and shall produce required reports in a timely manner.

MAINTENANCE AND RETENTION OF RECORDS

Correcting Factual Inaccuracies in Client Records

10 Psychologists will afford their clients the right to request the correction of factual inaccuracies in their records. Such requests will be reviewed by the psychologist who will:

- a) correct the factual inaccuracies and, to the extent possible, notify all parties to the information; or
- b) write an amending letter or attachment to the record and, to the extent possible, notify all parties to the information; or
- c) notify the client if the psychologist is not in agreement that there were

factual inaccuracies, or if the inaccuracies were trivial and correction would entail more effort than is justified by the error. In such cases, the psychologist will document his/her reasons for refusing to make the requested corrections.

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| Maintaining Client Records | 11(1) | <p>Psychologists rendering professional services to a client or billing a third party for professional services shall maintain records that include the following:</p> <ul style="list-style-type: none">(a) appropriate identifying information;(b) the presenting problem or problems or the purpose of the consultation;(c) the fee arrangement;(d) the date and substance of each professional service, including relevant information on interventions, progress, any issues of informed consent or issues related to termination;(e) any test results or other evaluative results obtained and any basic test data from which the results were derived;(f) notations and any results of formal consults with other service providers;(g) a copy of all test or other evaluative reports prepared as part of the professional relationship. <p>(2) Psychologists shall ensure that all data entries in their professional records are maintained for a period of not less than 10 years after the last date on which a professional service was rendered.</p> <p>(3) Psychologists shall store and dispose of written, electronic and other records in a manner that ensures confidentiality of the records.</p> |
| Continuity of Care | 12 | <p>Psychologists shall ensure that one or more other appropriate professionals deal with the emergency needs of their clients, as required, during their absences from professional practice.</p> |

- Termination of Services 13 A psychologist shall continue to provide the opportunity for a client to receive professional services until
- (a) it is reasonably clear to the psychologist or the client, or both, that the client is not benefiting from the services,
 - (b) the services are no longer required,
 - (c) the client can no longer afford to engage the services of the psychologist and a responsible transfer to another professional is required,
 - (d) the client terminates the professional relationship,
 - (e) the client has had a reasonable opportunity to arrange for professional services of another psychologist or suitable professional, or
 - (f) such time as a conflict of interest or a dual relationship arises.

IMPAIRED OBJECTIVITY AND DUAL RELATIONSHIPS

- Impaired Judgment 14(1) Psychologists shall not undertake or continue a professional relationship with a client when they know or should know that their judgment is impaired due to mental, emotional or physiological conditions or as a result of pharmacological or substance abuse.
- (2) If a condition referred to in subsection (1) develops after a professional relationship has been initiated, psychologists shall obtain professional assistance and determine whether they should limit, suspend or terminate the professional relationship.
 - (3) If it is necessary to limit, suspend or terminate the professional relationship, psychologists shall do so in an appropriate manner by notifying the client and assisting the client in obtaining services from another professional.

- Prohibited Dual Relationships 15(1) Psychologists shall not undertake or continue a professional relationship when they are aware or should be aware that they face a potentially harmful conflict of interest as a result of a current or previous professional, familial, social, sexual, emotional, financial, supervisory, political, administrative or legal relationship with the client or a relevant person associated with or related to the client.
- (2) When interacting with a person to whom the psychologist has at any time within the previous 24 months rendered counselling, psychotherapeutic or other professional services for the treatment or amelioration of emotional distress or behavioural inadequacy, the psychologist shall not
 - (a) engage in any verbal or physical behaviour toward the person that is sexually seductive,
 - (b) engage in sexual intercourse or other sexual behaviour with the person, or
 - (c) enter into any financial or other relationship with the person that is potentially exploitive of the person, or that could reasonably be expected to

compromise the professional relationship and/or the judgement of the psychologist.

- (3) The prohibitions set out in subsection (2) are not limited to the 24-month period described in subsection (2) but shall extend for as long as the person could reasonably be expected to be vulnerable to exploitive influence by a psychologist.
- (4) Notwithstanding subsection (1), psychologists may continue a professional relationship, although a potentially harmful conflict of interest may exist, in the following exceptional circumstances:
 - (a) instances where appropriate professional services from another professional are not available, such as in small communities that are isolated and remote;
 - (b) instances in which psychologists have special attributes that may make their services particularly relevant, such as being a member of the same minority, ethnic, cultural or linguistic group as the client;
 - (c) instances in which specialized skills or services are required and are not otherwise available;
 - (d) instances involving a crisis or emergency.
- (5) Psychologists may continue to provide professional services in the circumstances described in subsection (4) if
 - (a) the client is informed of the possible or actual conflicting relationship and its possible consequences,
 - (b) a description of the relationship is included in the psychologist's professional records along with a record of the discussion of the relationship with the client, and
- (c) consults with other psychologists are carried out and documented, regarding the relationship and subsequent provision of professional services to the client.
- (6) Psychologists may participate in bartering only if
 - (a) bartering is not clinically contra-indicated; and
 - (b) the bartering relationship is not exploitive.

RELATIONSHIP WITH SUPERVISEES

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| Providing Supervision | 16 | Psychologists shall exercise appropriate supervision over supervisees, as set forth in the guidelines, rules and regulations of the College. |
| Welfare of Supervisees | 17 | Psychologists must not exploit or discriminate against a person they supervise. |

PROTECTING CONFIDENTIALITY OF CLIENTS

Limits to Confidentiality	18(1)	Psychologists shall endeavour in all cases to inform clients of the limits to confidentiality and shall safeguard the confidential information about clients obtained in the course of practice, teaching, research or other professional services.
	(2)	Psychologists may disclose, in accordance with sections 16 to 18 and 21 to 23, confidential information about a client to an individual other than the client only with the informed written consent of the client.
Disclosure Without Informed Written Consent	19(1)	Psychologists may disclose confidential information about a client without the informed written consent of the client when they have reasonable and probably grounds to believe, and they believe that disclosure is necessary to prevent immediate and grave harm to the client or another person's mental or physical health or safety.
	(2)	Psychologists disclosing confidential information pursuant to subsection (1) shall limit disclosure of that information to those persons who reasonably need to know, and to the extent necessary in the circumstances.
Services Involving More Than One Interested Party	20	In a situation involving a third party, such as an employee assistance program or an insurance company, in which more than one party has an interest in the professional services rendered by a psychologist to a client or clients, the psychologist shall, to the extent possible, clarify for all parties prior to rendering the services the dimensions of confidentiality and professional responsibility that apply to the rendering of the services.
Multiple Clients	21	When professional services are rendered to more than one client during a joint session (for example, to a family, a couple, a parent and child or a group), psychologists shall at the beginning of the professional relationship clarify for all parties the manner in which confidentiality will be handled and all parties must be given an opportunity to discuss and accept whatever limitations to confidentiality apply.
Clients Who Have Guardians	22	Where professional services are rendered to a minor or other person for whom a guardian exists or has been appointed, psychologists shall at the beginning of the professional relationship clarify for the minor or other person and the guardian that the law may impose a limit on the minor's or other person's right to confidentiality.
Exception to Section 18	23	Notwithstanding section 22, if the minor or other person for whom a guardian exists or has been appointed and the guardian agree in advance that certain issues are not to be disclosed to the guardian, psychologists must not provide any of the information relating to those issues to the guardian.
Duty Under Section 4 of the Child, Youth & Family Enhancement Act	24	When professional services are rendered to a minor or other person for whom a guardian exists or has been appointed and the issues relate to the physical or emotional safety of the minor or other person (such as sexual or other potentially exploitive relationships), psychologists
	(a)	must make any report required by section 4(1) of the <i>Child, Youth & Family</i>

Enhancement Act, and

		(b)	are not under any duty to provide the information contained in the report to the guardian.
Limited Access To Client Records	25		Psychologists shall limit access to their professional records to preserve confidentiality and shall ensure that all persons working under their authority comply with the requirement to keep information about clients confidential.
Duty to Release Confidential Information	26		The duty of psychologists to maintain confidentiality under these Standards does not relieve any psychologist of the obligation to release confidential information in accordance with a court order or federal or provincial laws, rules or regulations.
Release of Information to Client	27(1)		When a Psychologist has control of a client's file, he/she shall provide access to, and shall, within 30 days of a request, permit the reproduction and release of confidential information about a client to the client unless there is a significant likelihood that disclosure of the information would cause
		(a)	a substantial adverse effect on the client's physical, mental or emotional health, or
		(b)	harm to a third party.
	(2)		When a psychologist provides access to, or reproduction and release of confidential information about a client to the client, he/she shall take necessary measures to ensure that no confidential information is divulged about a third party.
Reporting of Abuse of Children and Vulnerable Adults	28		Psychologists must be familiar with the laws concerning the reporting of abuse of children and vulnerable adults and shall comply with those laws.
Discussion of Client Information Among Professions	29(1)		When rendering professional services as part of a team or when interacting with other professionals concerning the welfare of a client, psychologists may share confidential information about the client, provided they take reasonable steps to ensure that all persons receiving the information are informed about the confidential nature of the information and have a reasonable appreciation of the rules of confidentiality.
	(2)		Psychologists must inform a client that confidential information about the client is to be shared with other professionals or other members of the team pursuant to subsection (1).
Disguising Confidential Information	30		When a professional report or other confidential information is used as the basis of teaching, research or other publication, psychologists shall exercise reasonable care to ensure that the reported or published material is appropriately disguised to prevent client identification.
Observation and Recording	31		When diagnostic interviews or therapeutic sessions with a client are to be observed by a third party or recorded in any mechanical or electronic manner for audio or visual purposes, the client must provide an informed written consent before the interview or session may be held.

Confidentiality After Termination of Professional Relationship 32 After the professional relationship between a psychologist and a client has ceased, the psychologist shall continue to treat any information regarding the client as confidential.

REPRESENTATION OF SERVICE

Misrepresentation of Qualifications 33 Psychologists shall not misrepresent, directly or by implication, their professional qualifications such as education, experience or areas of competence and shall correct any misrepresentation of their credentials by others.

34 Psychologists and provisional psychologists will represent themselves as psychologists or provisional psychologists, and use the title psychologist or provisional psychologist as applicable whenever they are involved in the provision of any service that falls within the scope of practice of psychology.

False or Misleading Information 35 Psychologists shall not make false or misleading statements concerning professional services offered.

FEES AND STATEMENTS

Disclosure of Cost of Services 36(1) Prior to providing professional services, psychologists must ensure that full information is provided to clients about financial arrangements, including fee structure, missed appointments and bill collection. Psychologists who bill clients directly shall issue to their clients an itemized statement, receipt, or account.

Retainer Fees (2) A psychologist may request and receive money as a retainer from, or on behalf of a client, to be used in whole or in part for payment of services yet to be provided.

(3) In cases where a psychologist has accepted money on retainer, a psychologist may only withdraw retainer funds for services as agreed upon and must issue a complete accounting of funds used at the termination of services. Interim accounting statements must also be issued at the request of the client.

(4) At the termination of the professional relationship between the psychologist and the client, or within twelve (12) months of the last date of the provision of professional services to or on behalf of the client, whichever date occurs first, the psychologist shall return to the client or the person who provided the retainer money any unused portion of the retainer money.

Acceptance of Commission 37 A psychologist shall not give a commission, rebate or remuneration to a person who has referred a client to the psychologist or accept a commission, rebate or remuneration from a person to whom the psychologist has referred a client.

ASSESSMENT PROCEDURES

Confidential Information 38 Psychologists shall treat an assessment result or interpretation regarding an individual as confidential information

Communication of Results 39 Psychologists shall accompany communication of the results of an assessment to the client or to the parent, legal guardian or other agent of the client with adequate

interpretive aids or explanations.

Reservations Concerning Results 40 Psychologists shall include in their report of the results of an assessment of a client any circumstances that affect the validity, reliability or interpretation of the results.

VIOLATIONS OF LAW

Prohibition Relating to Registration 41 No psychologist shall, by means of any false or fraudulent representation or declaration, either oral or written, or by false, deceptive or fraudulent conduct, attempt to obtain the registration of another person as a psychologist.

AIDING ILLEGAL PRACTICE

Aiding Unauthorized Practice 42 Psychologists shall not knowingly aid or abet another person in misrepresenting the person's professional credentials or registration status under the *Health Professions Act*.

Delegating Professional Responsibility 43 Psychologists shall not delegate professional responsibilities to a person who does not have the appropriate credentials or who is not otherwise appropriately qualified to provide the services.

Awareness of Violation 44 In the event of awareness of an illegal practice or an apparent violation of these Standards, psychologists are obligated to take action, including, if necessary, formal reporting to address or remedy the practice or violation, and any action must be undertaken within the bounds of confidentiality and respect, to the extent possible.

GENERAL

Responding To the Regulatory Body 45 Psychologists shall provide an appropriate answer within 30 days to any written inquiry received from the Registrar or the Council.