

The **CAP**Monitor

College of Alberta Psychologists

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To serve the interests of the public and guide the Profession of Psychology.

Health Professions Act Update

By Michael King and Horst Mueller

The Alberta Legislature passed the *Health Professions Act* (HPA) in May 1999. The Act is now being proclaimed in stages as Cabinet approves regulations for each of the 28 professions regulated under the Act. According to their usual practice, Alberta Health circulated Psychology's draft regulations for stakeholder feedback in May of this year. Based on the draft regulations that the College provided to Alberta Health and relevant information that Alberta Health receives from this consultation process, they will prepare the final Psychology Regulations for an expected Proclamation date of December 2003. Then, The *Health Professions Act* will become the governing legislation under which Psychology operates in Alberta.

Earlier articles have addressed the rationale for professional legislation (Casey, 1997), the initial development and content of the HPA (King, 1999a, 1999b), and the consultation process that has guided the College's preparations for implementation (College of Alberta Psychologists, 2000). This article will provide information about the latest developments in the Act and regulations as the College moves toward implementation of this complex new legislation.

Preparing for Implementation

The College has retained James Casey of Field Law to review all aspects of the College's policies and operations to ensure we are prepared for our regulatory duties under the new Act.

Mr. Casey is a well-respected expert in the field of professional legislation and regulation. He is the author of *The Regulation of Professions in Canada* (1999).

Although the College's Regulations concerning registration and discipline are largely in the hands of Alberta Health now, the Council has also appointed registered members to advise on operational aspects of implementing regulations, bylaws, and procedures. Jean Pettifor heads the Advisory Committee on Registration. Bob van Mastrigt will lead the Advisory Committee on Discipline. Michael King leads the Advisory Committee on Governance.

Psychological Assistants no Longer Regulated

Psychological Assistants will no longer be regulated under health professions legislation once the HPA comes into force. Alberta Health determined that it was inappropriate for two professions to be regulated under a single Schedule, though that had been the case with the *Psychology Profession Act* since 1986. If Psychological Assistants now wish to be regulated as a health profession, they will have to petition the government for inclusion in the HPA under a separate Schedule.

With this change, there will no longer be any restriction on the use of the term Psychological Assistant or on practice activities that used to fall under the scope of practice of Psychological Assistants. The College is considering creating through bylaw a special class of membership in the College for Psychological Assistants who wish to maintain some affiliation with the College. However, the College will not have specific regu-

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Health Professions Act Update - Cont'd

latory authority over members in this category beyond that imposed on them by the requirement for adherence to the *Code of Ethics*. This legislative change will have no effect on organizations and agencies that employ Psychological Assistants. They may continue to hire and retain Psychological Assistants consistent with their policies and the provisions of applicable collective agreements.

Code of Conduct

The Code of Conduct forms part of the *Psychology Profession Regulation* under the current *Psychology Profession Act*. Council has approved various revisions to the Code in recent years. These amendments have been awaiting Cabinet approval for several years. Under the provisions of Section 133 of the *Health Professions Act*, the College will now establish the Code of Conduct and the Code of Ethics in bylaw, rather than regulation. Both Codes must be submitted for review and comment to the Minister and to registered psychologists before Council approves them. This provision of the new Act will make it easier to review and amend these documents as needed in response to evolving standards in the profession, making the Codes "living" documents for Psychology, as they should be.

Continuing Competency Program

The HPA requires the College to develop mandatory continuing competence requirements for registration within five years of the Act's coming into force. The Practice Review Committee has worked on developing a Continuing Competency Program for the College for the past several years. The proposed model was described in a previous issue of the *CAP Monitor* (College of Alberta Psychologists, 2002), available on the College website. Once this requirement comes into effect, psychologists will have to show that they are complying with the continuing competence program to have their annual practice permits issued.

As the College moves closer to implementation of the *Health Professions Act* for Psychology, you will find the latest news about developments in the *CAP Monitor* and on the College website www.cap.ab.ca.

References

Casey, J.T. (1997). Self-governing professions. *CAP Monitor*, 1, 1-2

Casey, J.T. (1999). *The regulation of professions in Canada*. Toronto: Carswell.

College of Alberta Psychologists (2000). *Health Professions Act: Consultation Process*. *CAP Monitor*, 7, 1-2.

College of Alberta Psychologists (2002). A proposed model for the continuing competency of Alberta Psychologists. *CAP Monitor*, 14, 1-3

King, M.C. (1999a). An introduction to the *Health Professions Act*. *Psymposium*, 9(1), 18-21.

King, M.C. (1999b). An introduction to the *Health Professions Act* - II. *Psymposium*, 9(2), 3-9.

Transitioning to the New Health Professions Act

The bylaws for the new *Health Professions Act* were developed after extensive stakeholder consultation two years ago. Under these new bylaws, the number of registered psychologists on Council will decrease from 10 to seven. This means that we must reduce our current complement of Council members by three by May of 2004, when the Act will be proclaimed.

Since the bylaws also provide for election of the President-Elect from within the Council, the easiest way for Council to reach its new complement of members is by not holding elections for the three Council members whose terms will be ending in May next year. For this reason, the College will not hold elections for new Council members in 2003.

Opportunities to Get Involved

Note: If you wish to be considered by Council for service on a College committee, please complete and submit the Application for Committee Service form provided on the website (under "CAP publications").

Oral Examinations Committee

The committee requires additional members. Examiners receive an honorarium of \$50 per examination.

Registration Committee

The Registration Committee is seeking additional members.

Under the *Psychology Profession Act*, the Registration Committee is responsible for:

- Approving registrations
- Refusing to approve registrations
- Deferring the approval of registrations until applicants have obtained further experience of a kind and for a period set by the Registration Committee.

The Registration Committee is also responsible (under the *Psychology Profession Regulation*) for approving applications for registration as a courtesy registrant or psychological assistant.

News

News and Announcements

Dr. Jean Pettifor Receives CPA Gold Medal

Congratulations to Dr. Jean Pettifor on receiving the CPA Gold Medal Award for distinguished and enduring lifetime contributions to Canadian psychology. Dr. Pettifor received this honour from the Canadian Psychological Association in June 2003. Dr. Pettifor has been an active and dedicated member of the College of Alberta Psychologists for many years.

Proposed Amendment to the Code of Conduct

In spring 2003, College members voted overwhelmingly in favour of adding the following section to the Code of Conduct.

Providing Supportable Services

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.

The College Council approved this addition at its meeting on May 8, 2003, and the amendment was submitted to Alberta Health and Wellness for inclusion in the Code of Conduct.

The Code will not be amended until the proclamation of the *Health Professions Act for Psychology*.

Areas of Competence – Definitions Revised

The clinical and counseling branches of a psychologist's areas of competence have been combined, as follows: "**Clinical/Counseling Psychology** is the application of psychological knowledge, skills and judgment to alleviate maladjustment, disability and discomfort as well as to promote human adaptation, adjustment and personal development." The College Council approved this change at their June 21, 2003 meeting, as recommended by the Chartering Committee.

Council and Committee News

Council

Sincere thanks to Louise Million who has served as a member-at-large on Council. Ms. Million has had to resign due to a relocation out of province.

Chartering Committee

Jean Pettifor was reappointed as Chair and Wendy Hawkins was reappointed as a member.

Credentials Evaluation Committee

Welcome to Ali Al-Asadi, who was appointed as a panel chair.

Lee Handy was reappointed as a panel chair, and Jeffery Blanchard, Kirstie Kneppers, Ken Gardner, Peter Wass and Lisa Harpur were reappointed as members.

Discipline Committee

Joanna Dabrowski was reappointed as a panel chair, Lorraine Breault and Marilyn Phelan were reappointed as members. Patrick Baillie was appointed as Chair of the Committee.

A sincere thanks to Patrick Lynch who is stepping down as Chair and to Robert Acton as panel chair. Both have served on the Discipline Committee since 1994.

Oral Examinations Committee

Welcome to Neil Mulholland, Andre Masson and Nancy Fisher, appointed as members. Rami Sela was reappointed as a panel chair and Judy Chew was appointed as a panel chair.

The following have been reappointed to the Oral Examinations Committee for two-year terms:

Sherrie Banks
Ted Cadman
Adriana Celser
Debbie Dobson
Carroll Ganam
Susan Graham
David Hodgins
Richard Huddleston
Ronna Jevne
Rosalyn Mendelson
Sharon Robertson
Barbara Schmalz

A sincere thanks to Andrew Howell and Michael Enman who have completed their terms on the Oral Examinations Committee.

Practice Review Committee

Welcome to Tom Strong, who was appointed as a member and Lorraine Breault was reappointed as a member.

Registration Committee

Welcome to Christina Rinaldi and Jacqueline Pei, who were appointed as members. Sonya Flessati, Ann Marie Dewhurst and Lori Harper were reappointed as members.

On behalf of the Board of Directors of the College, I would like to acknowledge the departure of Pierre Berube. Pierre has served as Deputy Registrar for the College for the past six years. We wish Pierre well in his future endeavors.
Sandra Collins, President

News to Know: Interviewing a Physician (or a Psychologist) in Civil Litigation

A recent Alberta Court of Appeal decision indicated that physicians who agree to be interviewed by a third party should advise the patients concerned of their right to have their lawyer present during the interview. The presence of the patient's lawyer adds an additional safeguard to ensure that only relevant questions are asked and answered, and that the interview does not become a "fishing expedition."

The case involved the plaintiff suing the defendant for personal injuries resulting from a motor vehicle accident. Shortly before the trial, the defendant's lawyer asked to interview the plaintiff's treating physician. The plaintiff agreed to the interview but imposed the condition that the plaintiff's lawyer be present during the interview. The defendant would not accept this condition and brought the issue before the Court. The Court of Appeal decided that the plaintiff has the right to insist on his or her lawyer being present during an interview of the plaintiff's treating physician by the defendant or his or her lawyer.

The Court of Appeal also found that there is no distinction between a treating physician and one who has been retained as an expert to provide an opinion in the lawsuit. The Court recognized that often a physician may wear both hats.

Even though a patient consents to his or her doctor being interviewed by another party, the physician is not obliged to agree to the interview. However, the physician cannot decline to testify in Court if served with a subpoena or a notice to attend. There is always the practical consideration that agreeing to an informal interview may avoid the need to be called as a witness at trial.

The Court of Appeal noted that a psychologist is in the same situation as a physician. Accordingly, psychologists who receive a request to be interviewed by the opposing side in a lawsuit that involves the psychologist's client should keep this case in mind.

Resources

CAP Publications

Available on a cost-recovery basis from the College office:

a) copies of CAP practice guidelines (individually or as a package)

- Addressing Recovered Memories
- Advertising and Other Public Communication
- The Use of Aversive Techniques in Behaviour Management
- Child Custody Assessment
- Control of Psychological Tests by Psychologists
- Non-Discriminatory Practice
- Release of Confidential Information
- Service Fees for the Provision of Copies of Client Files
- Psychological Evaluations for Child Protection Decisions
- Limits to Confidentiality and Consent for Services: Special Issues in Working with Minors and Dependent Adults.

b) "Status of Codes of Ethics, Codes of Conduct & Guidelines in the Regulation of the Psychology Profession in Alberta."

c) "Receiving Services from a Chartered Psychologist..." Brochure

Websites

CAP's website at www.cap.ab.ca serves two purposes: communication with the public and communication with College members. The website is updated regularly and is a good source of information for everyone.

Other useful websites for CAP members:

- Psychology Profession Act and Regulations, www.gov.ab.ca/qp
- Health Professions Act, www.gov.ab.ca/qp
- Psychologists' Association of Alberta, www.psychologistsassociation.ab.ca
- Canadian Psychological Association, www.cpa.ca
- Association of State and Provincial Psychology Boards, www.asppb.org

Supervision Consultants

Jon Amundson and Walter Goos are Supervision Consultants for the College. Their role as consultants is to provide consultation to provisional psychologists and supervisors and to assist in the resolution of conflicts between provisional psychologists and supervisors.

To contact:

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Leduc, AB T9E 5J7
Phone: (780) 986-7592
email: waltergoos@shaw.ca

Update

Calendar

Council Meetings

November 15, 2003
January 10, 2004
March 13, 2004
May 13, 2004
June 19, 2004

Anyone planning to attend should notify the CAP office to confirm the times and location. The most recently approved minutes can be found on the CAP website.

Credentials Evaluation Committee Meetings

November 6, 2003
deadline for application is October 17, 2003

December 12, 2003
deadline for application is November 21, 2003

January 9, 2004
deadline for application is December 12, 2003

February 27, 2004
deadline for application is January 30, 2004

May 7, 2004
deadline for application is April 8, 2004

June 11, 2004
deadline for application is May 14, 2004

August 13, 2004
deadline for application is July 16, 2004

September 17, 2004
deadline for application is August 27, 2004

November 5, 2004
deadline for application is October 8, 2004

December 10, 2004
deadline for application is November 12, 2004

Oral Examinations

December 1 – 5, 2003
deadline for application is October 24, 2003

March 8-12, 2004
deadline for application is January 23, 2004

June 21-25, 2004
deadline for application is May 21, 2004

October 4-8, 2004
deadline for application is August 20, 2004

December 6-10, 2004
deadline for application is October 22, 2004

Registration Committee Meetings

November 17, 2003
deadline for submission of materials is November 3, 2003

December 17, 2003
deadline for submission of materials is December 3, 2003

January 19, 2004
deadline for submission of materials is January 5, 2004

February 25, 2004
deadline for submission of materials is February 11, 2004

March 26, 2004
deadline for submission of materials is March 12, 2004

April 26, 2004
deadline for submission of materials is April 12, 2004

May 26, 2004
deadline for submission of materials is May 12, 2004

June 25, 2004
deadline for submission of materials is June 11, 2004

August 16, 2004
deadline for submission of materials is August 3, 2004

September 22, 2004
deadline for submission of materials is September 8, 2004

October 29, 2004
deadline for submission of materials is October 15, 2004

November 22, 2004
deadline for submission of materials is November 8, 2004

December 13, 2004
deadline for submission of materials is December 1, 2004

Information Session for New Applicants

April 23, 2004

Edmonton
Dr. Jean Pettifor Boardroom
CAP Office
10:00 a.m. - 12:00 p.m.

April 30, 2004

Calgary (location to be announced)
12:00 p.m. - 2:00 p.m.

September 24, 2004

Edmonton
Dr. Jean Pettifor Boardroom
CAP Office
10:00 a.m. - 12:00 p.m.

October 1, 2004

Calgary (location to be announced)
12:00 p.m. - 2:00 p.m.

To register, please call the CAP office at 1-800-659-0857 or (780) 424-5070.

EXAMINATION RESULTS

Summary of the EPPP

A total of 82 candidates wrote the EPPP exam from January 1, 2003 – August 31, 2003.

72 (88%) Passed
10 (12%) Failed

Oral Examinations

A total of 58 candidates undertook the oral examination from January 1, 2003 - August 31, 2003.

55 (95%) Passed
3 (5%) Failed

Update to the Register

New Members

Congratulations and welcome to the 53 new Chartered Psychologists and 7 new Psychological Assistants who have been added to the Register between January 1, 2003 and August 31, 2003.

Chartered Psychologists

Ms. Sharon Ashton
Dr. Barbara Backs-Dermott
Ms. Stacy Benoche
Ms. Tanya Beran
Ms. Bernedette Butler
Ms. Teena Christensen-Demers
Ms. M. Jacqueline Comeau
Mr. David C. Corra
Dr. Wendy Creighton-Lacroix
Mr. Christian E. Danis
Ms. Monique M. Dauphinais
Ms. Raksha Dave-Gates
Ms. Lorraine Detillieux
Ms. Ilona Fark
Ms. Chantel Forslund
Ms. Doreen Foy
Ms. Teresa M. Fraser
Dr. Karina Fuentes
Ms. Alicia Hinger
Ms. Katie S. Hooper
Ms. Susannah Horgan
Ms. Martina M. Jaeckel
Dr. Barbara Jameson
Ms. Michaela Kadambi
Ms. Revekka Kakoullis
Ms. Kathryn Kastelic
Dr. J. Patrick Keelan
Ms. Kathleen Kelly
Ms. Adrienne Krentz
Ms. Rachel Kroch
Ms. Glenda Lux
Ms. Laura MacKay
Ms. Karen MacMillan
Ms. Andrea Magill
Dr. Michelle McCallum
Ms. Charlette McKernan
Ms. Shelann J. McQuay
Mr. Kelly S. Moroz
Ms. Marci Moroz
Mr. Daniel W. H. Newell
Dr. April Nottell
Ms. Hana C. Patik
Ms. Lorrie Paulsen
Dr. Sharon C. Penney
Ms. Deena Pyne
Ms. Galit Savage
Ms. Anjana Sawhney-Burgess
Ms. Keri Sullivan
Ms. Carmen Swanson
Ms. Robin E. Swift
Ms. Barbara Verveda
Ms. Lara Willows
Dr. Kyla Yaskowich

Psychological Assistants (Practising)

Ms. Paula Blashko
Mr. Carlton Fougere
Ms. Kimberly Gilmore
Ms. Beverly Harbourne
Ms. Nora MacQuarrie Umscheid
Mr. Zdravko Marjanovic
Ms. Angela Yake

Deaths

The College has learned, with regret of the deaths of Dr. James Vargo, Dr. Beth Atkinson, Rev. Roberta Irvine, and Ms. Claire Vallee and sends sincere condolences to their families, friends and professional colleagues.

Reinstatements

Chartered Psychologist (Practising)

Mr. Richard Gilman
Dr. Shelley Mahon
Dr. Sheila O'Byrne
Mr. Gerald Rice
Dr. Daniel Rosin

Chartered Psychologist (Non-Practising)

Dr. Chaya-Nesya Glogauer

Provisional Chartered Psychologist

Mr. Robert Mole

Voluntary Delistings

Chartered Psychologist (Practising)

Ms. Catherine Arbuckle
Ms. Mary Beamish
Dr. Patricia Borman
Dr. Robert Carey
Ms. Gwen Ewan
Dr. Oliva Gironella
Mr. Larry McConnell

Chartered Psychologist (Non-Practising)

Ms. Marilyn Allison
Mr. Fergus Anderson
Mr. Larry Andreotti
Dr. Dan Bachor
Dr. Nancy Buzzell
Dr. Jagannath Das
Ms. Joan Churcher
Dr. Gary Dean
Ms. Michelle Haugen
Dr. Larry Katz
Ms. Christina So

Psychologist Assistant (Practising)

Ms. Treena Blake
Ms. Tula Bouchard
Mr. Rick Cowling
Ms. Janet Edgerton
Ms. Wendy Ford
Ms. Carolyn French
Ms. Rilla Fuller
Ms. Alice Holub
Ms. Pam Hyatt
Ms. Shauna Kashluba
Ms. Anne Lyle
Ms. Kimberley McConnell
Ms. Barbara Mendaglio
Ms. Charlene Pasula
Ms. Ryshael Pennock
Ms. Trina Robinson
Ms. Sandra Sebzda

Psychological Assistant (Non-Practising)

Ms. Christy Bruce
Ms. Karen Butler
Ms. Jennifer Flynn
Ms. Joan Guse
Ms. Elsbeth von der Burg

Delistings for Non-Payment of Fees

Chartered Psychologist (Practising)

Ms. Charlotte Arbuckle
Mr. George Bates
Ms. Carleen Fahie

Chartered Psychologist (Non-Practising)

Ms. Sheila Bulmer
Mr. Edwin Ellick
Mr. Kenneth Kwan
Mr. Arthur Lindblad
Mr. Ken McMillan
Ms. Joan Morphy
Mr. Edward Schmitt
Ms. Jack Sikand
Mr. Malcolm West

Psychological Assistant (Practising)

Ms. Heather Beaver
Ms. Carol Bolt
Ms. Irene Brekke
Mr. Evan Careclakis
Ms. Jennifer Culbertson
Ms. Debbie Elek
Mr. Johan (Hans) Kollewyn
Ms. Elizabeth Matthews
Ms. Megan McElheran
Ms. Marni Mrazik
Ms. Judith Ann Oliphant
Ms. Tracie Rust
Ms. Adele Schulze
Ms. Barbara Waldie
Ms. Evelyn Wallace

Psychological Assistant (Non-Practising)

Ms. Michelle Cloutier-Enders
Mr. Gerhard Ewen
Ms. Heidi Friesen
Ms. Tara Gobeil-Pohl
Mr. Daniel Lemoine
Ms. Susan Marr
Mr. Stephen Rimac
Mr. Christopher Schoepp
Ms. Bhupinder Sikand
Ms. Simona Stefaniga
Ms. Patricia Terrett
Ms. Krista Westbury

Provisional Chartered Psychologists

Ms. Janice Chisholm-Brian
Mr. David Penney
Mr. Don Seatter
Ms. Jennifer Turner

Changing Your Address?

Please notify the College promptly in writing of changes in your address and phone/fax numbers. A change of address form is enclosed or visit our website at www.cap.ab.ca

The **CAP Monitor** is a regular publication of the College of Alberta Psychologists.

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