



Chronicle

College of Psychologists of British Columbia

NEWS AND INFORMATION FROM THE COLLEGE OF PSYCHOLOGISTS

Spring 2013

Letter from the Chair of the Board

Dear Colleagues,

It is my pleasure to provide you with an update on College activities and achievements.

The College of Psychologists of British Columbia has been communicating with its 1200 registrants over the course of the past five years with regard to lessons learned from intensive consultations in the area of government relations. As has been shared in information meetings, special events in collaborative care, AGMs and through multiple written communications, the College has been actively sharing its understanding that government decision making in healthcare reflects its stated healthcare policies and objectives. In recent times, and for years to come, one of these priorities is clearly that of sustainability. Recent initiatives by government have included expansions of scope of a number of professions including nurse practitioners and pharmacists. The College has been approached by government about collaborative care initiatives and the integration of psychological services in primary healthcare. Our own government relations consultations have yielded fruit. Note the recent posting of proposed changes to our bylaws, expanding classes of registration to enable the long awaited removal of title exemptions and changes to the Psychologists Regulation. The College has invited BCPA to participate in meetings with caucus and other government representatives with the objective of ensuring that BCPA is aware of the initiatives on which government has invited the College's input, as government decision making is informed by, and directed to, those professions who are able to put forward coordinated and comprehensive contributions

to assist government in reaching its healthcare objectives. The College's mandate of public protection clearly includes ensuring that government decision makers are aware of the potency of psychological interventions in achieving its healthcare objectives. The College will continue to hold information meetings for registrants on collaborative care and on any other issues for which government has invited the College's response.

As you know, the College participates actively with the Health Regulatory Organization (HRO), which is a group comprised of Registrars and Deputy Registrars of the health colleges. This organization is undergoing significant change, reflective of the effective and collaborative relationships established amongst the Colleges. Among ongoing projects are a public education campaign and working groups on quality assurance, patient relations and other key initiatives.

This issue of the *Chronicle* includes a number of very important articles. First I draw your attention to an article providing an update on the new *Family Law Act* which came into force on March 18, 2013. This new legislation involves significant changes to terminology and processes and is essential reading for all registrants. Preliminary workshop planning on this topic is also underway. Next is an article providing information on selection of business names and how to ensure compliance with the *Code of Conduct* and College policy in this regard, followed by an article on appropriate website and other advertising. Also included is an update from the Quality Assurance Committee on the Audit and an outline of an important workshop being planned. This

workshop is being designed for attendance by as many registrants as possible. Pay special note to the plan to have full completion of the workshop to be considered as meeting the continuing competency requirement for the 2014 year. There is also an information box on the success of the online renewal process. The College will continue the complete transition to an exclusively online process. There is also an important article on the obligation to respond to College. In addition to the legal and ethical requirement to be responsive to the regulatory body, registrants can ensure that they are helping to reduce costs and aggravation by responding promptly to requests from the College and notifying the College, as per the Bylaws, of address and phone number changes. Please also note the new online feature for making such changes. Finally, I draw your attention to the very important proposed bylaw changes which have been posted on the College website for formal notification. These bylaw changes include significant changes to the bylaws including the Code of Conduct. Please take the time to read these important documents and provide the College with any comments as soon as possible. On behalf of the Board I want to thank the many registrants who have come to information meetings which we have held around the province.

The College values the opportunity to have direct and thoughtful exchange with registrants. Since November, the College has held meetings in Vancouver, Victoria, Nanaimo, Kelowna, Surrey, Burnaby as well as meetings with specific groups of registrants such as those working at Children and Women's Hospital and the group working with Sexual Offender treatment with Forensic Services.

Registrants are encouraged to come to the upcoming AGM on May 23rd for further updates and discussion on the very important matters on our regulatory horizon.

Respectfully,
Henry Harder, Ed.D., R.Psych.
Board Chair 2013

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The Business of Business Names

Among the proposed edits to the *Code of Conduct* is the incorporation of the content of Draft Practice Advisory #17: "Use of Reserved Titles in Business Names" [see box]. A new standard, 10.19, has been drafted to directly address this. A registrant who includes as part of the name of a company, or other business owned directly or indirectly, in whole or in part by the registrant, either a reserved title, or another title, description or words incorporating the word "psychology," "psychological," or "psychologist," or otherwise implying training, experience, or expertise as a psychologist, must ensure that several criteria are met. These criteria include parameters regarding the scope of the services offered by the company or business and the credentials of the individuals providing the services.

Also included in this *Code* standard are criteria relating to the name itself. There is a requirement to either include, as part of the name, the name of one or more responsible registrants in the business or if the company or business name does not itself include the surname of one or more responsible registrants, prominently display the names

of the responsible registrants whenever and wherever the company or business name is used in communication with the public.

There is also a requirement to ensure that the name does not assert or imply a fact that is false, inaccurate, unverifiable, or misleading or create an unjustified expectation of the results which can be achieved. For example, "Phobia Free Psychological Services" or "Vancouver's Best Psychology, Inc." would be contrary to this standard. As part of their advertising, registrants may provide empirically based information regarding psychological services such as research regarding the effectiveness of particular interventions for certain disorders (see article on Websites and other Advertising), but suggesting that a particular business will provide a specific outcome or one that is superior to that of another psychology practice, is not permitted.

Registrants who wish to request the College's consent to use a reserved title in a business name, can do so by downloading the corresponding form, located in the Registrant Forms section of our website, within the Library.

Websites and other Advertising

From time to time, the College receives calls concerning websites and advertisements for professional services of our registrants or applicants for registration.

The most common concern in the case of an applicant is use of the title 'psychologist'. While this might accurately describe the individual's job title, applicants are responsible for ensuring accurate and clear representation of their credentials and competencies, including their registration status with the College of Psychologists. Registrants who supervise and/or work with applicants must not represent or imply that the applicant, or any other individual, is a registrant if that individual is not registered with the College.

Other concerns relate to the way in which a registrant represents their services, credentials or otherwise advertises their practice. Specialty designations are explicitly addressed in Standard 9.3 of the *Code* and we remind registrants that terms such as "Registered Clinical Psychologist" or "Registered Forensic

Psychologist" are presently inconsistent with this standard.

Concerns have also been raised about the way in which a registrant is describing their practice with respect to outcomes or therapeutic effectiveness. It is appropriate for registrants to provide on their website information regarding empirically supported treatments, summaries of research findings, disorders treated or other information relevant to their practice. However, statements that lead the public to be assured of a particular outcome (e.g., a happy and more fulfilled life) or using client testimonials are not consistent with the *Code*.

The College recommends that all registrants take the time to review their websites and other advertisements to ensure that they are consistent with the relevant *Code* standards. In particular, we draw your attention to sections 9.0 (Representation of Services and Credentials) and 10.0 (Advertising and other Public Statements).

Draft Standard 10.19 Use of restricted title in company or business name

A registrant who includes as part of the name of a company, or other business owned directly or indirectly, in whole or in part by the registrant either a reserved title, or another title, description or words incorporating the word "psychology," "psychological," or "psychologist," or otherwise implying training, experience, or expertise as a psychologist, must ensure that:

- a) all of the services offered by the company or business fall within the definition of "practice of psychology" as set out in the Psychologists Regulation;
- b) all of the services offered by the company or business are provided directly by, or supervised by, a registrant of the College who is authorized to provide those services;
- c) the company or business name does not use a reserved title in a manner contrary to the best interests of the public or to the maintenance of the high standards of the profession;
- d) the company or business name does not assert or imply a fact that is false, inaccurate, unverifiable, or misleading;
- e) the company or business name is unlikely to create an unjustified expectation of the results which can be achieved;
- f) the company or business name does not compare the quality of services provided with those provided by another professional;
- g) one or more responsible registrants' names are prominently displayed whenever and wherever the company or business name is used for advertising or promotional purposes or for otherwise communicating with members of the public (if the company or business name does not itself include the surname of one or more responsible registrants); and
- h) the College is advised immediately if any of the above conditions are no longer met, and, if so, such action is taken as may be directed by the College, including changing the company or business name if so directed.

Be sure to use your
R.Psych. designation
in all professional materials
and advertisements.

Update from the Quality Assurance Committee

Continuing Competency Audit

Audit letters were sent to the registrants selected in February. The Quality Assurance Committee met to review the logs in March and follow up letters will be forthcoming. Individuals deemed to have met the requirements for 2012 will also be sent confirmation of their compliance.

The Quality Assurance Committee wishes to share some general comments regarding their observations of the submissions from the 2012 audit just completed. In general, registrants are requested to provide specific details of the completed activities – such that the job of the committee in making determinations of whether or not the requirement has been made is efficiently achieved. Global statements such as “met with a group” are not sufficient. Registrants are also requested to ensure their logsheets are legible. Other specific feedback is as follows:

- Please define all abbreviations.
- For Category C, specify with whom the activity occurs as the requirement is that the other participants be registered professionals.

- Registrants are strongly encouraged to use the electronic version of log avail online.
- Please specify the names of articles, titles of book w/author and dates completed for Category B.
- Please provide sufficient and clear detail for all activities. This will reduce the time of our volunteer Quality Assurance Committee, in addition to reducing the amount of back and forth correspondence with registrants to determine whether or not activities are in compliance.
- Please be accurate in the amount of time spent on specific activities. Spending an hour on a one line Code standard (and without any elaboration of any other documents consulted) seems excessive.
- Registrants are responsible for tracking Category A activities and any hours carried over from the previous year. When noting these carry over hours, you must still provide detail as to what that activity was so that the Committee can assess whether it meets the program criteria.
- Regular peer discussion groups are encouraged, but topics discussed, nature

of case consultations held, etc. must be specified.

Workshop Planning

The Quality Assurance Committee is actively engaged in developing a customized workshop for registrants with the following objectives:

1. Ensuring registrants are aware of regulatory documents and obligations.
2. Enhancing registrant understanding of changes in clinical practice in the context of collaborative care and the current healthcare climate.
3. Sharing the cumulative wisdom of the Inquiry Committee and translating that wisdom into best practice.

The workshop will include required reading/activities prior to and following the workshop and the Board has endorsed the Quality Assurance Committee's recommendation that completion of the workshop will be considered to meet the competency requirement for the 2014 year. Stay tuned for more information.

Responsiveness to College Requests

There are various, routine, time sensitive College items that require prompt and appropriate registrant response such as renewal, criminal record reviews and the continuing competency audit. While a high level of compliance with these deadlines is typical of registrants, the College does sometimes experience delayed responses from registrants and, in some cases, a complete failure to respond despite multiple attempts on behalf of the College.

The administrative burden involved in pursuing registrants on matters such as missed deadlines is great, even if the number of cases is small. The College is committed to assisting registrants in meeting their obligations under

the governing legislation, but our resources are not limitless and a prompt response is a meaningful way for registrants to assist the College in containing the costs of regulation.

7.3 Response to College Requests:

A registrant must respond appropriately and promptly to all requests from the College, the registrar, the board, and committees for information respecting his or her activities.

Having accurate and current contact information on file with the College will assist registrants in this regard. When we receive notice that a registrant has changed

their address or other contact information, the changes are processed immediately. To facilitate changes of this nature, the College encourages registrants to use the registrant portal on our website to submit their changes.

Holidays, illness, and other matters can also interfere with a prompt response to College requests. If you find yourself in a position such that you cannot personally monitor your mail, phone or email over a period of time, you should select someone else to do so, and take whatever other appropriate steps would be required in order to manage your psychology practice consistent with the Code.

Renewal 2013

The College was delighted with the extremely high (over 96%) participation with the online renewal process. We renewed a total of 1179 registrants, 93% of whom are in the actively practicing category. All but 37 individuals completed and submitted the online form. Close to 70% of registrants paid online, using the bill payment option of their individual banks. Given this high rate of participation, the College will continue phasing out the paper option altogether for the 2014 renewal year.

We'd like to take this time to offer a few reminders for next year. Several registrants mistakenly believed that the only step required of them was a payment. We remind all registrants that in order for your renewal to be complete we require both payment and form. Also, many of the reasons people gave for wanting a paper form reflected a misunderstanding of the online renewal process (e.g., needing a paper record, not wishing to send credit card information over the internet, wanting to submit a cheque). The completed online form can be printed, by you, for your records. The College does not accept credit card payments, however, if you do not wish to pay online through your bank you may still submit a cheque which we will then match to your submitted online form.

We look forward to a paperless renewal for 2014 and thank you in advance for your cooperation.

The new *Family Law Act*

New legislation relating to family law came into effect March 18, 2013 with the introduction of the *Family Law Act*, replacing the previous Family Relations Act. The *Family Law Act* explicitly emphasizes the need for assessment of the child's views and needs, parental responsibilities, parental willingness and ability to satisfy the child's needs, family violence, and relocation issues. The *Family Law Act* is very detailed with regard to the best interests of the child. The purpose of this article is to encourage registrants to fully inform themselves about the changes represented by the new legislation, including new terminology, new provisions, and new roles for psychologists. Thank you to Dr. Mary Chewning Korpach, R.Psych. who gave a series of presentations to the Continuing Legal Education Society in February on the topic and shared her materials with the College. Thank you also to Dr. Michael Elterman, R.Psych. for his additional comments.

Centrality of the Child's Needs, Views and Best Interests

The new *Family Law Act* emphasizes "that the best interests of the child are the only consideration when resolving parenting disputes", and that determination of the best interests of the child considers "any history of family violence and, unless inappropriate, the child's views." Terms such as "custody" and "access" are replaced with the terms "guardianship", "parental responsibilities", "contact with a child", and "parenting time." Relocation parameters for parents have also been clarified by the new *Act*.

The most directly relevant section for psychologists is Section 211:

211 (1) A court may appoint a person to assess, for the purposes of a proceeding under Part 4 [Care of and Time with Children], one or more of the following:

- (a) the needs of a child in relation to a family law dispute;
- (b) the views of a child in relation to a family law dispute;
- (c) the ability and willingness of a party to a family law dispute to satisfy the needs of a child.

Code of Conduct

There are several sections of the *Code* which are of particular relevance to registrants already working in this area of practice or thinking about obtaining the training and experience necessary to do so. In particular, attention is drawn to the following standards: 3.2, 3.3., 3.7, 3.9, 3.10, 3.16, 3.17, 5.12, Section 11 especially 11.3, 11.4, 11.11, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.29, 11.33. Psychologists providing reports under either Section 202 (receiving the child's evidence, e.g. views of the child reports) or Section

211 are specifically required to be aware of relevant sections of the *Family Law Act*, and to adapt by altering procedures and methods to address the referral question and the changing definitions and conceptualizations inherent in the new *Act*. This includes an awareness of the different roles (ie. fact vs. expert witness) and responsibilities which accompany these roles.

Key Sections:

Several sections of the *Family Law Act* are of particular note to psychologists in this area of practice. These include Sections 37 and 38 excerpted below:

Section 37:

Best interests of child. This is now the ONLY consideration, as opposed to being the primary consideration. This includes consideration of "all of the child's needs and circumstances" including:

- (a) the child's health and emotional well-being;
- (b) the child's views, unless it would be inappropriate to consider them;
- (c) the nature and strength of the relationships between the child and significant persons in the child's life;
- (d) the history of the child's care;
- (e) the child's need for stability, given the child's age and stage of development;
- (f) the ability of each person who is a guardian or seeks guardianship of the child, or who has or seeks parental responsibilities, parenting time or contact with the child, to exercise his or her responsibilities;
- (g) the impact of any family violence on the child's safety, security or well-being, whether the family violence is directed toward the child or another family member;
- (h) whether the actions of a person responsible for family violence indicate that the person may be impaired in his or her ability to care for the child and meet the child's needs;
- (i) the appropriateness of an arrangement that would require the child's guardians to cooperate on issues affecting the child, including whether requiring cooperation would increase any risks to the safety, security or well-being of the child or other family members;
- (j) any civil or criminal proceeding relevant to the child's safety, security or well-being.

The *Act* makes clear that an agreement or order is not in the best interests of a child unless it protects, "to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being".

Section 38 – Assessing family violence

In the assessment of family violence noted in the previous section, registrants working in this area should be aware of the following issues which must be considered by the Court:

- (a) the nature and seriousness of the family violence;
- (b) how recently the family violence occurred;
- (c) the frequency of the family violence;
- (d) whether any psychological or emotional abuse constitutes, or is evidence of, a pattern of coercive and controlling behaviour directed at a family member;
- (e) whether the family violence was directed toward the child;
- (f) whether the child was exposed to family violence that was not directed toward the child;
- (g) the harm to the child's physical, psychological and emotional safety, security and well-being as a result of the family violence;
- (h) any steps the person responsible for the family violence has taken to prevent further family violence from occurring; and
- (i) any other relevant matter.

The *Family Law Act*, the *Code of Conduct* and other Professional Guidelines

As required in the *Code of Conduct*, psychologists must be informed about legal and regulatory requirements relevant to their practice. In addition to knowledge about our governing legislation and the Code of Conduct, psychologists working in this area should be aware of other practice guidelines which, in the case of family law assessments, would include the following:

1. BC Hear the Child Society
2. International Institute for Child Rights and Development/The Law Foundation of British Columbia: Hear the Child Interviews Kelowna Pilot Evaluation: May, 2007
3. Association of Family and Conciliation Courts: Model Standards of Practice for Child Custody Evaluation, 2006
4. American Psychological Association: Guidelines for Child Custody Evaluations in Family Law Proceedings, December, 2010
5. Association of Family and Conciliation Courts: Guidelines for Brief Focused Assessment, 2009, published in Family Court Review, October, 2012
6. <http://resources.lss.bc.ca/pdfs/pubs/Guide-to-the-New-BC-Family-Law-Act-eng.pdf>

FRIENDLY REMINDER: Make Address Changes Online



The College reminds registrants that address changes are now processed through the registrant portal via the College website. Please log onto the Portal to notify the College of any changes to your Register, Directory, and/or Practice Records Address and/or other contact information. The Registrant Portal login is located as the last item under "Registrants" in the main menu. Once you log in with your username and password (the same username and password you used for online renewal), this feature can be accessed by selecting the "Change Address Information" option on the menu. **Your user name is your registration number.** If you do not remember your password, click on the link forgot password and it will be emailed to the email address you have provided to the College. The College appreciates registrant using this online feature to help us streamline our office procedures.

Registrants added to Register after publication of 2012 Fall *Chronicle*

Bernstein, Dagmar
Donald, Juliet Margaret
Edwards, Glen Murray
Fusco, Nina Marie
Kit, Karen Anne

Kwong, Marilyn Joanne
Lunt, Rachael Ann
Menon, Mahesh
Pelletier, Marie-Hélène Christine
Pleydon, Anne Patricia

Reilly, Daniel Joseph
Tan, Jing Ee
Thira, Darien Troy
Weinberg, Mark Robert

Status of Bylaw Changes and *Code of Conduct* Revisions:

As of the printing of the *Chronicle*, we have yet to receive confirmation of specific implementation dates of the proposed changes to the Psychologists Regulation and to the College Bylaws which, of course, includes the *Code of Conduct*. Registrants will

be notified via the website and email when we receive confirmation. In the meantime, registrants are strongly encouraged to read through the proposed changes and provide any comments or feedback to the Ministry or to the College directly.

Be Informed

Registrants are reminded to check the website frequently and regularly to ensure awareness of current issues relevant to the professional practice of psychology in British Columbia.

College Board

John Carter
Ed.D., R.Psych.

Michael F. Elterman
M.B.A., Ph.D., R.Psych.

J. Dean Readman
Public Member

Henry Harder
Ed.D., R.Psych.

Jenelle Hynes
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Russell King
Psy.D., R.Psych.

Leora Kuttner
Ph.D., R.Psych.

Hendre Viljoen
Ph.D., R.Psych.

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA

ANNUAL GENERAL MEETING

Thursday, May 23, 2013

Registration Open (*light dinner provided*): Between 5:00 p.m. and 6:00 p.m.

AGM and Continuing Competency Presentation: 6:00 p.m. to 8:00 p.m.

**Both the AGM and the Continuing Competency presentation count towards the Continuing Competency requirement, Category A.*

VANCOUVER SITE:

Harbour Centre Building, Simon Fraser University
1400 – 1420 Segal Centre, Vancouver, B.C.

VICTORIA SITE:

Royal Roads University at Hatley Park National Historic Site, Mews Lounge
2005 Sooke Road, Victoria, B.C.

Annual General Meeting & Continuing Competency Presentation
Psychology and Primary Care: Perspectives from a politician and a physician"
The Honourable Dr. Moira Stilwell, Member of the Legislative Assembly
Has served as Minister of Advanced Education as well as Social Development

The AGM will include reports on the 2012 year.
Please note the Annual Report will be provided at the AGM to registrants who have RSVP'd.
The Report will be mailed to all other registrants and will be available online
at www.collegeofpsychologists.bc.ca mid-morning May 23, 2013.

- RSVP -

Where possible, please RSVP your attendance by May 10, 2013
by phone: 604-736-6164 or 800-665-0979
**please push 307 when auto-attendant picks up to leave your message in the correct voicemail
(to include full name, registrant number and location).*
Fax: 604-736-6133

Note: Registrants wishing to attend via webcast in a group arrangement are asked to clearly specify this in your message or fax, and to include full name, registrant number, and the name of the webcast group host/organizer. Registrants attending via webcast will be able to submit questions via email during the AGM and Continuing Competency presentation. Details and pass-codes will be provided mid-morning May 23, 2013 to the email address you have provided to the College.

 College of Psychologists of British Columbia

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