

Type: Undertakings

Registrant: Dr. Cindy Hardy (Registrant No. 1345)

Date: January 21, 2021

Status: In Effect

Nature of Action: The Registrant agreed to undertakings under section 36(1)(d) of the *Health Professions Act* placing a limitation on her practice to not accept referrals involving clients who are involved in a family law matter or where it is reasonably foreseeable that the Registrant's involvement may be used in family law. This limitation extends and modifies the scope of the limitation on the Registrant's practice that she previously agreed to in undertakings given in connection with a [previous matter](#).

The Registrant also agreed to a 12-month period of supervision, subject to extensions in 6-month increments at the supervisor's discretion, covering all areas of the Registrant's practice with a particular focus on the following: (a) reviewing referrals to ensure they are consistent with the limitation noted above; (b) reviewing ongoing cases to identify potential concerns and to ensure that the boundaries around the Registrant's involvement are clearly communicated and appropriately maintained; (c) reviewing the Registrant's process for responding to requests for documentation from clients or third parties; (d) reviewing the Registrant's process for referring clients to other service providers; and (e) a periodic further review of cases selected by the supervisor. The Registrant also agreed to follow any and all lawful directions from the supervisor with regard to her practice of psychology, and to pay costs related to the supervision.

The Registrant agreed further to engage in ongoing peer consultation as part of her continued professional development. She also agreed to write a letter to the Complainant confirming that a letter she wrote in the course of her involvement in this matter was not an assessment, report, or opinion that should be relied on in court proceedings, and that it was intended solely for the child's guardians and should not be used for any other purpose.

Reason: The College received a complaint about the Registrant's conduct in the context of an engagement to provide clinical treatment for anxiety to a child who was the subject of a guardianship dispute between the Complainant and another individual. The treatment was provided to the child at the Complainant's request, in her capacity as the child's temporary shared guardian. The Complainant alleged that the Registrant did not take adequate steps to obtain informed consent at the outset of treatment in the context of the guardianship dispute, including confirmation of who was the "client", and consent to sharing of information. The Complainant also raised concerns about a letter the Registrant provided to both parties to the guardianship dispute, as well as the Registrant's other communications with the other party to the guardianship dispute and with another health care provider. The Complainant alleged that the Registrant lost neutrality in her role as the child's therapist and acted as an advocate in support of the other party to the guardianship dispute. As this was not an engagement to provide a psychological assessment, it was not contrary to the undertakings previously given by the Registrant (referred to above). However, this complaint raised related concerns about the Respondent's provision of therapeutic services in the context of a family law dispute. The Committee concluded, and the Registrant agreed, that a modified limitation on the Respondent's practice was appropriate, in addition to a period of supervision focused on assisting the Registrant to screen out matters with potential family law proceeding involvement.

Update: The supervision component of the Registrant's undertakings, which began while the Committee was investigating the complaint against her, was satisfactorily completed on April 8, 2021. The limitations on the scope of the Registrant's practice as described above remains in effect. All public notifications pertaining to this registrant can be viewed in public notice