

Type: Undertakings

Registrant: Dr. Owen James (Registrant No. 1070)

Date: July 30, 2020

Status: Completed

Nature of Action: The Registrant agreed to undertakings under section 36(1)(d) of the *Health Professions Act* placing conditions on his practice. The Registrant agreed to a period of supervision lasting 6-12 months, subject to extensions up to a total of 18 months, that covers all aspects of his practice, with a particular focus on:

(a) Clarity and parameters of roles, including avoiding potentially conflicting or dual roles;

(b) Informed consent and responding to third party requests for information or professional opinions in the context of an existing therapeutic relationship. This includes clarifying with the referral source what questions can be answered based on his existing therapeutic role and the information he has available;

(c) Gathering information that is appropriately comprehensive, objective and balanced for the purpose of responding to the referral question(s), and ensuring that any opinions are within the scope of his experience and expertise;

(d) Stating limitations to his opinions based on the nature of his role and/or limitations of the information gathered;

(e) Monitoring treatment progress and making referrals when appropriate;

(f) Accurate representation of credentials on his Curriculum Vitae;

(g) Ensuring continuity of care during planned or prolonged absences from work and appropriate follow-up upon return to work; and

(h) Maintenance and accuracy of records.

The Registrant also agreed to comply with the supervisor's directions regarding his practice of psychology, to pay for all reasonable costs related to the supervision, to make his records available to the supervisor upon request, and to write a letter to the client that was the focus of the complaint stating that his report should not be relied upon as an independent assessment of the client's functioning for a medical-legal purpose as he did not conduct an adequate assessment for that purpose.

Reason: The College received a complaint about the Registrant providing independent medical-legal assessment reports for his therapy client's injury claim. Concerns were raised about the lack of clarity around roles as there was no consent or documentation that the Registrant's role had changed or state this as a limitation to opinions expressed in his reports. He wrote his reports at the request of his client's legal counsel, intending them to be independent assessments. As the Registrant's reports were based on information gathered in his therapeutic relationship with the client, concerns were raised about the adequacy of the information to provide such an assessment and that the Respondent had expressed opinions that went beyond the scope of his experience and expertise in relation to head injuries. The Committee also raised concerns about the Registrant's monitoring of treatment progress, record keeping, and availability to his clients. All of these matters are to be addressed in the supervision.

All public notifications pertaining to this registrant can be viewed in public notice