

College of Psychologists of British Columbia

ANNUAL REPORT - 2003

CIRCULATED FOR THE ANNUAL GENERAL MEETING

14 MAY, 2004
2:30 P.M.

Vancouver - UBC Teleconference Centre
Victoria - Queen Alexandra Centre

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2004 Annual General Meeting

Agenda

1. Sign-in and Socializing (2:00 p.m. - 2:30 p.m.)
2. Call to order (2:30 p.m.)
3. Welcoming remarks, introduction of the Board (Dr. Henry Harder, 2003 Board Chair)
4. Approval of Agenda
5. Minutes of the 2003 Information Meeting
 - 5.1 Errors/Omissions
 - 5.2 Adoption
 - 5.3 Business arising from the Minutes
6. Annual Reports
 - 6.1 Chair of the 2003 Board, Dr. Henry Harder
 - 6.2 Reports of Standing Committees
 - 6.21 Inquiry Committee (Ms. Barbara Passmore, 2003 Chair)
 - 6.22 Patient Relations Committee (Mr. Robert Colby, 2003 Chair)
 - 6.23 Quality Assurance Committee (presented by Dr. Michael Joschko, 2004 Chair)
 - 6.24 Registration Committee (Dr. Michael Elterman, 2003 Chair)
 - 6.25 Finance Committee (Dr. Derek Swain, 2003 Chair)
7. New Business
 - 7.1 Adjournment

BOARD, STAFF, AND COMMITTEE MEMBERS 2003

BOARD

Henry Harder, Ed.D., R.Psych., Chair of the Board
Derek Swain, Ed.D., R.Psych., Vice Chair, Board, Chair, Finance and Discipline Committees
Robert Colby, M.S., R.Psych., Chair, Patient Relations Committee
Michael Elterman, Ph.D., R.Psych., Chair, Registration Committee
Emily Goetz, Ph.D., R.Psych., Chair, Quality Assurance Committee
Michael Joschko, Ph.D., R.Psych., Chair, Legislation Committee
Barbara Passmore, Public Member, Chair, Inquiry Committee
Marguerite Ford, Public Member
Rana Dhatt, Public Member

STAFF MEMBERS

Andrea Kowaz, Ph.D., R.Psych., Registrar
Rafael Richman, Ph.D., R.Psych., Deputy Registrar
Colleen Wilkie, Ph.D., R.Psych., Deputy Registrar
Cheryl Bradley, Ph.D., R.Psych., Deputy Registrar (from Sept. 1, 2003)
Judy Clausen, Assistant to the Registrar
Avigail Cohen, Office Assistant
Lyn Hellyar, Registration Coordinator
Maria Doyle, Inquiry Coordinator
Wendy Lou Harris, Inquiry Coordinator (from November 17, 2003)

LEGAL COUNSEL

Anthony G.V. Tobin, LL.B., M.Ad.Ed., FCIarb.

COMMITTEE MEMBERS

DISCIPLINE COMMITTEE

Derek Swain, Ed.D., R.Psych., Chair	Rosemary Alvaro, Ph.D., R.Psych.
Bruce Clarke (Public Member)	Michael Coles, Ph.D., R.Psych. (from October)
Linda Harrison, Ph.D., R.Psych.	Henry Hightower (Public Member)
Erica Reznick, Ph.D., R.Psych. (from November)	Janet Strayer, Ph.D., R.Psych.
Lynn Superstein-Raber, Ph.D., R.Psych. (from October)	Susan Turnbull, Ph.D., R.Psych.
Max Uhlemann, Ph.D., R.Psych.	

INQUIRY COMMITTEE

Barbara Passmore, Chair (Public Member)	Rebecca England, Ph.D., R.Psych.
Jill Hightower (Public Member)	Mel Kaushansky, Ph.D., R.Psych.
Pippa Lewington, Ph.D., R.Psych.	Shirley Louth, Ph.D., R.Psych.
John MacDonald, Ph.D., R.Psych.	Maureen Olley, Ph.D., R.Psych. (until June)
Hendre Viljoen, Ph.D., R.Psych.	

QUALITY ASSURANCE COMMITTEE

Emily Goetz, Ph.D., R.Psych., Chair	Leigh Bowie, Ph.D., R.Psych.
Julia Hass (Public Member)	Leora Kuttner, Ph.D., R.Psych.
Ron LaTorre, Ph.D., R.Psych.	Joan Pinkus, Ph.D., R.Psych.
Karen Tee, Ph.D., R.Psych.	

REGISTRATION COMMITTEE

Michael Elterman, Ph.D., R.Psych., Chair
Dale Brooks, Ph.D., R.Psych.
Colleen Haney, Ed.D., R.Psych.
Robert Ley, Ph.D., R.Psych. (from September)
Cheryl Washburn, Ph.D., R.Psych.

Cheryl Bradley, Ph.D., R.Psych. (until August)
Helen Cook (Public Member)
Anne Marie Jones, Ph.D., R.Psych.
Marvin McDonald, Ph.D., R.Psych.

ORAL EXAMINERS

Verna Amell, Ph.D., R.Psych.
Barbara Beach, Ph.D., R.Psych.
Geoffrey Carr, Ph.D., R.Psych.
Michael Coles, Ph.D., R.Psych.
Trish Crawford, Ph.D., R.Psych.
David Eveleigh, Ph.D., R.Psych.
Jordan Hanley, Ph.D., R.Psych.
Margaret Kendrick, Ph.D., R.Psych.
Brenda Kosaka, Ph.D., R.Psych.
Anne MacGregor, Ed.D., R.Psych.
Jane McEwan, Ph.D., R.Psych.
Joan Pinkus, Ph.D., R.Psych.
Erica Reznick, Ph.D., R.Psych.
Barbara Rosen, Ph.D., R.Psych.
Ruth Sigal, M.Ed., R.Psych.
Cec Smith, M.Sc., R.Psych.
Paul Sungaila, Ph.D., R.Psych.
Paul Swingle, Ph.D., R.Psych.
Malcolm Weinstein, Ph.D., R.Psych.
Marshall Wilensky, Ph.D., R.Psych.

Randall Atkinson, Ph.D., R.Psych.
Carole Bishop, Ph.D., R.Psych.
Elsie Cheung, Ph.D., R.Psych.
Evelyn Corker, M.A., R.Psych.
Jacqueline Douglas, Ph.D., R.Psych.
Brian Grady, Ph.D., R.Psych.
Elizabeth Huntsman, Ph.D., R.Psych.
Brenda Knight, M.A., R.Psych.
Randall Kropp, Ph.D., R.Psych.
Barbara Madani, M.A.Sc., R.Psych.
Martin Phillips-Hing, Ph.D., R.Psych.
Donald Ramer, Ph.D., R.Psych.
Anneliese Robens, Ed.D., R.Psych.
Heather Scott, Ph.D., R.Psych.
Kathleen Simas, Ph.D., R.Psych.
Rhona Steinberg, Ph.D., R.Psych.
Lynn Superstein-Raber, Ph.D., R.Psych.
Joyce Ternes, Ph.D., R.Psych.
Maureen Whittall, Ph.D., R.Psych.

Report from the Chair

I welcome this opportunity to review the 2003 year and the challenges faced and achievements realized for the Board of the College during the year. During 2003 the systems and procedures put in place since the College became regulated under the *Health Professions Act* were consolidated and validated. These systems and procedures provided a solid foundation from which the College was able to manage divergent and challenging issues. This is a major achievement and one which gives the Board great pleasure and comfort, given the need to develop and implement major changes in every aspect of College functioning in a very short period of time.

Among the major issues facing the Board during the 2003 year were the following:

Regulation of Master's Level Practitioners

Changes to the bylaws provided an opportunity for some master's level psychology practitioners to become registered with the College. Consequently the Board supported the continuation of a number of initiatives, including meetings with the BC Association of School Psychologists, the Canadian Counseling Association (national and BC representatives), psychology personnel from Corrections Canada, as well as the BC Association of Clinical Counselors. Over 100 individuals from these various groups took advantage of the extraordinary period of application the College extended to these master's level practitioners from January 1 to May 1, 2003.

The Registration Committee devoted considerable time to developing policies to cover the applications received during the extraordinary period. Four information sessions for these applicants were held in November. A special oral examination is being developed for these candidates. The committee is continuing to discuss how applicants in the extraordinary period will remain accountable to the College once they are placed on the Limited Register to meet remaining registration criteria.

Removal of Exemptions

Meetings were held during the year with Mr. Alan Moyes, Executive Director of the Office of Professional Regulation, along with representatives from the Ministry of Education, to discuss the regulation of school psychology practitioners. All participants in these discussions were appreciative of the flexibility and openness of the Board to the consideration of ways to regulate psychology professionals under the systems in place at the College. In particular, the Limited Register and the ability to place limitations on practice in terms of both settings and activities, opens a variety of options for the regulation of psychology practitioners. These discussions were held in light of the recommendation of the former Health Professions Council to remove the exemptions from the Psychologists' Regulation under the *Health Professions Act*.

This series of discussions produced some excitement and brought to light the high degree of misinformation among some stakeholders. We put considerable effort into ensuring that accurate information was accessible and easily available. For example, the Registrar prepared a basic "fact sheet" and FAQ's on the website.

Implementation of the Mutual Recognition Agreement

The Registrar and Registration Committee put tremendous efforts into drafting amendments to the bylaws to ensure consistency with the Mutual Recognition Agreement signed by all Canadian psychology regulatory bodies. The bylaw changes were submitted to government in November 2003.

Amendments to the bylaws were also submitted to government for approval to allow for recognition of status on the National Register of Health Service Providers in Psychology as a mobility mechanism.

Regulation of Title and Practice of Psychology

The Board decided to pursue a matter of a former registrant who continued to advertise himself as a psychologist, in explicit contravention of the Psychologists Regulation under the *Health Professions Act*.

Renewal Process

The Board was pleased with the response to the clear deadline set for submission of full payment and a completed renewal form of December 31, 2003. This year a much smaller number of registrants (n=27) were taken off the register due to failure to submit their fees and renewal on time. Of these, 19 individuals had not intended to renew and the remaining 8 were quickly reinstated after payment of fees and fines. This compares very favourably to the over 100 registrants taken off the register at the end of 2002 for failure to meet the deadline.

Patient Relations

The Patient Relations Committee prepared a brochure in conformity with the *Health Professions Act* with two versions, one for registrants and one for clients.

Annual Evaluation of Registrar

We conducted a performance evaluation of the Registrar according to established objectives. All objectives had been met or exceeded and the board is delighted with the achievements of the College staff, under the leadership and guidance of the Registrar. The following objectives serve both as the objectives for the College as a whole in 2004 as well as being specific targeted objectives for the Registrar and her staff in the coming year. While these will serve as a means of performance evaluation on an annual basis, the objectives are all seen to be ongoing and long term in nature. They are as follows:

- to bring the College in line with national and international standards (both substantive and procedural) for professional regulation;
- to enhance the profile, standing and credibility of the College with government;
- to develop and maintain an effective system for document control, management, filing and storage;
- to maintain the efficient and timely management of complaints;
- to ensure regular and effective communication with registrants about regulatory issues affecting them;
- to enhance the decision-making competencies of the Inquiry, Registration, Discipline and Quality Assurance Committees;
- to maintain the efficient resourcing and staffing of the College; and
- to ensure data integrity, security, control and management.

Continuing Competency Program

We were pleased that the Quality Assurance Committee's continuing competency program received such a favourable response from registrants. Over 46 registrants took the time to provide constructive feedback. The Board is supportive of the plan to implement the program as currently described, with an eye to amending or adjusting the program and requirements as knowledge is gained through experience with its implementation over the next few years.

Board Elections

Elections were held in November of 2003. Robert Colby was re-elected and Lee Cohene was elected, both for a three year term on the Board.

Public Members

Two new public members, Marguerite Ford and Rana Dhatt, were welcomed to the Board. I cannot say enough to convey our appreciation to these dedicated and thoughtful individuals for volunteering their time to serve the College as public members.

Submissions to Government

During the past year the College made several major submissions to government. The Registrar, working with legal counsel, Anthony Tobin, and Bonita Thompson, who helped us previously on our bylaws, wrote major submissions to government in response to proposed changes to the *Health Professions Act*. See the Registrar's report for more specific information. The Board was pleased with the response of government to our submissions, which validates the Board's perception of the clarity, thoroughness and thoughtfulness of the College's submissions. These submissions are on our website.

The College also made a major submission in support of the recommendation of the Health Professions Council that diagnosis be a reserved action, and that this reserved action be available to registrants of our College. This submission underscores our view that the act of psychological diagnosis and the conduct of psychological assessments are facets of the same basic skill set and competencies. Thanks to the Registration Committee members who spent many hours on the psychological assessment submission.

The College opposed an application for Occupational Title Protection by the B.C. Association of Clinical Counsellors to protect the title "Registered Clinical Counsellor" under Part 10 of the *Society Act* as it was thought that its approval would be contrary to the public interest. Among the arguments advanced was the acceptance by government of recommendations made in two major reports on professional regulation (the Seaton Report and Safe Choices) against designating this group as a health profession in its amendments to the *HPA* and enacted critical amendments to the *Health Professions Act* on October 7, 2003. It would clearly be inappropriate to approve use of this title when the Government has not been prepared to this date to designate the health profession and to grant its members an exclusive title under the *Health Professions Act*. We also raised objection to the term "clinical". The term "clinical" implies that the population being treated is a clinical population of patients and that there is pathology or abnormality that requires diagnosis and intervention. The typical population of individuals who require counseling are normal people with normal problems such that no diagnosis would be applicable.

Such submissions take a tremendous amount of time and add to an already overloaded workload. It speaks to the caliber of our staff, committee members and legal consultants that we are able to make such high quality submissions while all other responsibilities are being so ably met.

Book Chapter

The Registrar was invited to submit a chapter in a book on the regulation of psychology in Canada by David Evans. The Board endorsed the Registrar working on this project.

Incorporation

Registration with the College is generic and thus the College cannot approve specialty designations in incorporation names. The Board endorsed the Registration Committee's policy on company names and confirmed that it is not considered timely for the College to involve itself in the incorporation process. Therefore, we will not be seeking a resolution under the *Health Professions Act* to regulate corporations at this time.

Motor Vehicle Act

The College has been participating in discussions with the Superintendent of Motor Vehicles along with the Colleges of Optometrists and Physicians and Surgeons. Patricia McFarland, R.Psych., has been participating in the meetings on behalf of the College, along with the Registrar, and has assisted with drafting an upcoming practice advisory for registrants. Many thanks to Dr. McFarland for her involvement and expertise.

Proposal from Marriage and Family Therapists

A proposal to form a College of Psychologists and Marriage and Family Therapists, outlined in the April 10, 2003 letter from the B.C. Association of Marriage and Family Therapists was discussed and declined.

Annual General Meetings

The lack of a quorum at last year's Annual General Meeting turned the meeting into an "information meeting" and prompted discussion around the Board table about the purpose and objectives of an annual general meeting. Since coming under the *Health Professions Act*, the registrants no longer approve a budget. The main purpose of the meeting is for the Board to present information to the registrants about the conduct of College business over the last year, and to be accountable for decisions made. It was decided to circulate a letter to registrants asking for opinion on how to manage this issue for the 2003 year with the choices being 1) to hold another AGM or 2) to consider the last meeting an information meeting and not to reschedule another meeting. Very few registrants responded and those that did voted against having another AGM in 2003.

Meetings with BCPA

Considerable time and effort was spent over the year conveying concerns to BCPA and attempting to establish a clear understanding of mutual roles and responsibilities. A series of meetings were held, resulting in a "working group" meeting towards the end of the year. The outcome of this meeting was a proposed "Letter of Understanding" which was approved by both Boards.

The key elements of this agreement are as follows:

It is recognized that appropriate consultation and cooperation is in the interest of the profession of psychology and the public in British Columbia.

It is recognized that there is a clear distinction between the roles and mandates of the College (regulation) and the Association (advocacy).

It is agreed that representatives of the College and the Association will meet on a regular basis.

On request, the College will provide brief consultation regarding compliance with governing legislation and consistency with College Bylaws and the Code of Conduct as time and resources allow.

It is agreed that the College will, when appropriate, invite submissions from BCPA on matters that have been identified by the College as issues of public concern that may affect the profession.

In the event of conflict or disagreement about issues, projects or concerns, the parties will initially refer all such matters to a meeting of joint representatives of the parties with a view to clarity of the issues and reasons why the parties differ which will then be taken back to the respective boards.

Information Meeting/ Dinner with Committee Members

I was delighted to participate in the meeting between the Board and committee members prior to the information meeting on November 3, 2003. The involvement of committee members and their contribution in terms of time and expertise is much appreciated. This meeting provides a valuable opportunity for discussion of substantive topics of shared concern as well as a chance to thank committee members for their efforts on behalf of our profession.

Budget

Given the unpredictability of regulation and the large number of changes in legislation, bylaws and the volume of complaints being processed by the College, I am pleased to report that our expenditures and receipts for 2003 were very close to projections. Many thanks to the Registrar and the Finance Committee for their efforts in this achievement.

Meeting with Sindi Hawkins

We were invited to attend a reception meeting with Sindi Hawkins, the then Minister of Health Planning, to thank those who made submissions on changes to the *Health Professions Act*. The Registrar and Vice-Chair, Dr. Derek Swain, attended the meeting on behalf of the College.

Appeals 2003

A total of 11 appeals were heard by the Board during 2003. When complainants are dissatisfied with the decision of the Inquiry Committee not to issue a citation, under the *Health Professions Act* they may file an appeal within 14 days of notification of the decision. For files closed over the past year (N= 44) by the Inquiry Committee, eleven were appealed. The appeals were heard by the College board under the *Health Professions Act*. The decision of the Inquiry Committee was upheld in each case.

Demographics

The Board continues to be aware of the changing demographics of our registrants with the average age of registrants increasing year by year. Currently the mean age is approximately 54 years old. The changing demographic picture means that in the next five to ten years we will see an increasing number of registrants retiring from practice.

Complaint Resolution

We are very pleased at our continued success in achieving negotiated resolution to complaints. At the same time, the Board has been advised that there are a number of serious matters that may be heading towards a hearing of the Discipline Committee. There is no question that it is preferable to resolve matters amicably and through negotiation and discussion. There is also little doubt that some matters are of such a serious nature that litigation is the necessary course of action.

I encourage every registrant to read through this Annual Report carefully. Many thanks to the Registrar and her staff for this impressive Report. If registrants read through the report, many of the anxieties and concerns related to complaints could be alleviated. Take a look, for example, at the proportion of complaints which end up being dismissed. Then look at the proportion of the complaints which are not dismissed but are resolved through negotiated resolutions. Certainly for all but the most serious complaints, the statistics suggest that an open response to a complaint investigation is in the best interest of the registrant. In the typical instance, if you receive a notification that the College has received a complaint about your conduct, you would be well-served by asking yourself the question of whether or not this is an opportunity for constructive self-reflection. Approaching it from this point of view is more likely to lead to a nonadversarial resolution. Even when complaints are appropriately viewed as vexatious in nature, there is still something to be learned about their prevention. If the particular complaint is investigated and you are asked to provide a response and/or to participate in a without prejudice discussion with your peers, the numbers suggest engaging actively in this process is in your best interest.

The College staff, committee members, and Board are working hard at fulfilling the mandate of the College.

Respectfully submitted,

Henry Harder, Ed.D., R.Psych.
Chair of the Board, 2003

Inquiry Committee Report

The Inquiry Committee met 11 times over the past year, in addition to numerous teleconferences and other consultations. In addition to ongoing complaint investigations, the outcome of which is fully reported in the Registrar's report, the committee spent hours discussing a number of other critical substantive issues related to practice. Submissions were received from psychology practitioners at Correctional Services of Canada with regard to risk assessments. The College was asked to consider a practice advisory on the topic of whether or not file-based assessments of risk should be exempt from the Code of Conduct requirement for face-to-face contact. After much discussion, the committee felt that there were significant concerns with risk assessments in the correctional settings such that no such blanket exemption should be made. As with other provisions of the Code, the registrant is accountable for providing information on why he/she was not able to meet a particular provision of the Code because of extenuating circumstances. Other proposed practice advisories were discussed, including one which is forthcoming with regard to release of test data. This is reported on in the Legislative Committee report. The committee directed staff to review the new APA Ethics Code with a view to noting any desirable revisions to our Code of Conduct. It was unanimously moved to indemnify officers of the College and College counsel for acting at the direction of committees or the Board, a motion later ratified by the Board.

In terms of complaints, the Inquiry Committee continues to deal with a tremendous volume due to both the large number of complaints and the amount of material of which the typical complaint is comprised. It also appears, from responses from respondents in some complaints, that many registrants do not understand the role of the Inquiry Committee. The committee does not decide which complaints to investigate, nor are decisions made about whether or not a complaint has merit until a complete review of the evidence has been performed. Even then, the decision options open to the committee are as prescribed by the *Health Professions Act*. In brief, on receipt of a written complaint, the Inquiry Committee must investigate. Further, the committee may open its own investigation regarding any of the following matters: (a) a contravention of this Act, the regulations or the bylaws; (b) a failure to comply with a limit or condition imposed under this Act, the regulations or the bylaws; (c) professional misconduct; (d) competence to practise the designated health profession; (e) a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs his or her ability to practise the designated health profession. For complaints on which the Inquiry Committee determines they have jurisdiction and in which there appears to be some evidence of an ethical violation, the committee must request the registrant who is the subject of an investigation under this section to provide it with any information regarding the matter that the registrant believes should be considered by the Inquiry Committee. After considering any information provided by the registrant, the Inquiry Committee may (a) take no further action if the Inquiry Committee is of the view that the matter is trivial, frivolous, vexatious or made in bad faith, or that the conduct or competence to which the matter relates is satisfactory, (b) in the case of an investigation respecting a complaint, take any action it considers appropriate to resolve the matter between the complainant and the registrant; (c) act under section 36; or (d) direct the Registrar to issue a citation under section 37.

Information is a useful tool for registrants who may be named as respondents in complaints. Here are some examples of complaints drawn from the 44 complaint files closed in 2003.

A registrant assessed an individual's competence to drive, following a request from the Superintendent of Motor Vehicles. The complaint concerned the individual's distress in the manner in which he perceived the registrant interacted with him and what he perceived to be the registrant's selective attention. The relevant sections of the Code of Conduct were determined by the Inquiry Committee as: standard 3.12 [accuracy], standard 7.7 [unprofessional behaviour], and standard 3.3 [limits on practice]. After requesting and reviewing a copy of the registrant's clinical records, the Inquiry Committee invited the registrant's response to the allegations, and to a question related to sensitivity to clinical issues. The registrant responded to the questions and the responses satisfied the committee. The complaint was closed in eight months. Subsequently the complainant appealed the decision of the Inquiry Committee not to take this matter to a hearing. The Board refused (i.e. denied) the appeal.

A registrant attempted to conduct a mediation session with a woman and her brothers with regard to decisions related to the care of their father. After the sessions, and the perception on the part of the woman of an undesirable outcome

from the sessions, the woman complained to the College alleging bias on the part of the psychologist. The sections of the Code of Conduct relevant to the complaint are: standard 3.11 [objectivity of opinions and interventions], standard 4.7 [avoiding misunderstandings], standard 5.1 [obligation], and standard 5.13 [multiple clients]. The Inquiry Committee reviewed the documents provided by the complainant and the registrant's clinical records, and asked the psychologist a number of questions. These questions included asking about how the issue of the purpose of the session had been addressed, informed consent, and the appropriateness of this form of mediation given the woman's interpersonal style and personality characteristics. The respondent provided a detailed and thorough response to the Inquiry Committee that included relaying what he had learned from this experience and changes that he has since incorporated into his practice. The committee accepted the registrant's response. This complaint took five months to close. The decision was not appealed to the Board.

A woman and her husband attended couples counselling with a registrant. The woman complained about her experience of certain of the techniques used by the registrant during their sessions which she and her husband found to be indicative of a lack of caring and concern. The relevant sections of the Code of Conduct for this complaint are: standard 5.1 [obligation], standard 5.33 [avoiding harm], and standard 7.7 [unprofessional behaviour]. The Inquiry Committee obtained and reviewed the registrant's clinical records and then asked the registrant about his therapeutic techniques and his response to the complainant's concerns. The registrant responded with a description of his treatment philosophy and techniques and expressed his regret that the client had perceived the therapy experience as described. The registrant agreed to provide a letter of regret to the client, which he did and the file was closed. This complaint took six months to resolve.

A complaint was received about an assessment of a woman who claimed that she had been sexually abused by her father. The woman later retracted this allegation. The woman's father complained to the College that he had been diagnosed as "a child abuser" by the registrant without having been assessed or consulted in any fashion by the registrant. The Inquiry Committee decided, given the serious nature of the allegations, to conduct a practice inspection and obtain a sample of other clinical files from the registrant. The files were reviewed by the committee and concerns were identified. The relevant standards that were in effect at the time of the complaint were: standard 1 and standard 1.f [responsibility] of the Ethical Standards of Psychologists [1985]. The committee then decided to open a complaint on its own motion, and to ask the registrant to respond to the concerns on the files obtained during the inspection, in addition to continuing its investigation of the first complaint. After negotiations with the registrant's legal counsel, an agreement was reached and the registrant signed a letter of undertaking agreeing to the complete supervision of his practice. Shortly thereafter the registrant resigned from the practice of psychology. These two complaints took 21 and 17 months to investigate, respectively.

A young woman complained to the College that she had requested a copy of her clinical records from a registrant she had seen some time earlier and that the registrant informed her that he could not locate the records. She expressed feeling distressed about the registrant's conduct to the registrant, who encouraged her to file a complaint with the College. The relevant standards of the Code of Conduct are: standard 7.7 [unprofessional behaviour], standard 13.1 [length of record retention], standard 13.2 [legal requirements], and standard 13.3 [minor's records]. The Inquiry Committee asked the registrant about his file storage practices and the steps he took to locate the file. The committee was satisfied with his response and the file was closed after two months. The complainant appealed to the Board and the Board refused the appeal.

Respectfully submitted,

Barbara Passmore, Chair
Inquiry Committee 2003

Quality Assurance Committee Report

The Quality Assurance Committee's main focus in 2003 was on the development of a continuing competency program. In developing this proposal, the Quality Assurance Committee was guided by the following principles:

that the proposed program is not equivalent to a continuing education program, i.e., that continuing competency and continuing education are complementary, not identical. This program is qualitatively and quantitatively distinct from a "continuing education" requirement in which forms must be completed following attendance at various professional workshops and conferences;

that the program incorporate the existing emphasis on registrants self-declaring compliance and self-assessment;

that the requirement be regulated with a view to minimizing College resources, staff time, and registrant effort;

that the program be based on minimal acceptable requirements, and emphasize freedom of choice and flexibility;

that the program is an articulation of the basic expectations as described in the Code of Conduct of the College which sets out the standards by which registrants conduct will be evaluated.

The program was distributed to registrants and placed on the website for a three month period of registrant review and opportunity for feedback to the Quality Assurance Committee. The start date of January 2004 means that registrants will be asked to attest to compliance with this requirement with the 2005 renewal.

Forty-six responses were received to our request for feedback. Comments were specific, thoughtful and helpful. The highest number of responses supported required continuing competency in principle. The next most frequent categories were: questions regarding the audit and inspections; suggestions for making categories for hours more flexible; suggestions for clarifying definitions of requirements; and suggestions for lowering cost to registrants, e.g., with online course credit. The committee will use the first few years to fine-tune the program, with input from registrants.

A second area of discussion stems from the interaction with other College committees and information provided by the Registrar on issues of overlapping concern. For example, among the goals of the Quality Assurance Committee is the provision of information to registrants to enhance level of practice - a goal which is also consistent with complaint prevention. We are supportive of the College's efforts to distribute information about common complaints and believe that the Quality Assurance Committee has a role to play in translating these issues into preventive practice enhancement.

It was agreed that the committee will continue to respond to feedback to the continuing competency program by way of the "Frequently Asked Questions" available on the College website and in issues of the *Chronicle*.

Emily Goetz was the Chair of the Quality Assurance Committee in 2003 and the College thanks her for her hard work on this committee.

Legislation Committee Report

Two major issues were under review in 2003 by the Legislation Committee.

Release of Information - Secure Test Materials

Registrants are often asked to disclose test materials, particularly in the context of litigation. Several provisions in the Code of Conduct address the issue of disclosure of confidential documents and materials. Code of Conduct 11.15 in particular requires registrants to make reasonable efforts to maintain the integrity and security of tests.

One of the most frequent questions registrants ask of the College is “What do I do if I have been asked to respond to a court order requiring the provision of test materials?”. The practice advisory under current review by the College includes the following elements:

Determining whether this is a formal request (i.e., court order) or a request anticipating the issuing of a court order. Outlining registrants’ responsibilities when responding to requests for raw data in the context of legal proceedings. These include:

- a) describing the confidential nature of the documents;
- b) requesting that the parties do not make copies of the documents except for purposes of the legal proceedings;
- c) requesting that all persons who receive copies of the documentation be bound by the court Order;
- d) requesting that the raw test data not be disclosed to or discussed with any person who is not competent to use or analyse the data, and if there is a dispute as to whether or not any such person is competent, the data may be disclosed to the College which shall determine whether such person is competent;
- e) requesting the return of all copies of the documents to the registrant by the party who obtained the Order upon completion of those proceedings and the expiration of any appeal periods; and
- f) requesting that the Court Registry not to disclose the documents unless in accordance with the terms of the court Order.

While this matter remained under active review as of December 2003, the key elements of the draft advisory centre on the obligations of the registrant to advise legal counsel in writing of the nature of the documents, the relevant provisions of the Code of Conduct, and the terms of the Advisory. This would be an advisable course of action in response to any request for confidential information.

Privacy Legislation

The implementation of new legislation in January 2004 will create challenges for individual registrants, not unlike the challenges faced by the College as an authority under the *Freedom of Information and Protection of Privacy Act*.

On January 1, 2004, private psychology practitioners offices, medical diagnostic facilities, and non-hospital medical/surgical facilities in British Columbia will be subject to privacy legislation, either through the provincial *Personal Information Protection Act* (known as *PIPA*), or through the federal *Personal Information Protection and Electronic Documents Act* (known as *PIPEDA*). Both statutes establish information practices in private organizations, which can be an individual, an agency, or a non-profit society. Most private psychology practitioners in B.C. will fall under *PIPA*; however, organizations or individuals who transfer personal information across provincial borders for business purposes will likely need to comply with *PIPEDA* in addition to any relevant sections of the provincial legislation.

Registrants are encouraged to read the *Chronicle* and to avail themselves of legal consultation and other available resources in dealing with these new obligations. While the College will continue to make available information likely to be useful to registrants, the College office cannot advise registrants on how to respond to *PIPA* or *PIPEDA* requests. See for example *PIPA* Implementation Tool 4, available on the website of the Ministry of Management Services. (http://www.mser.gov.bc.ca/foi_pop/Privacy/Tools/PIPA_Tool_4.htm).

Respectfully submitted,

Michael Joschko, Chair
Legislation Committee 2003

PATIENT RELATIONS COMMITTEE

The *Health Professions Act* specified that regulatory bodies must have a Patient Relations Committee for the specific purpose of establishing a patient relations program to seek to prevent professional misconduct of a sexual nature. The duties of this committee include:

- recommending to the Board specific procedures for handling complaints of professional misconduct of a sexual nature;
- informing the public about the process of bringing their concerns to the College;
- monitoring and periodically evaluating the operation of procedures established;
- developing and coordinating educational programs dealing with professional misconduct of a sexual nature for registrants and the public as required;
- establishing a patient relations program to prevent professional misconduct of a sexual nature;
- recommending to the Board standards and guidelines for the conduct of registrants and their patients.

This Committee has developed a pamphlet for registrants and a pamphlet for members of the public. Both documents are currently under review by the Board and Inquiry and Quality Assurance Committees.

Respectfully submitted,

Robert L. Colby, Chair
Patient Relations Committee 2003

REGISTRATION COMMITTEE REPORT

I am pleased to report on four major areas of Registration Committee discussion and decision-making from 2003. The four major areas are: extraordinary application/registration issues; general issues related to application for registration, issues having to do with title and representation of credentials, and registration renewal issues. This review is intended to provide registrants with a sense of the many substantive and procedural issues which were the focus of the Registration Committee over the 2003 year.

1. Extraordinary application/registration issues

Registration Exemptions

It is noted that the exemptions in place in B.C. with regard to title appear to be among the broadest in the country. Upon approval of the College's bylaws, the College initiated a series of discussions with various groups for whom eligibility for registration with the College had been opened by means of the two classes of registration now possible. While there has been no formal confirmation of this, the College of Psychologists has understood through our communication with the Office of Professional Regulation under the Ministry of Health Planning that the government intends to continue to implement the recommendations of the Health Professions Council, one of which was that the exemptions would be lifted. Discussions initiated by the College remain ongoing with various groups, and with individuals currently practicing psychology under the existing exemptions. As part of this process, the College of Psychologists initiated contact with the BC Association of School Psychologists and other groups to discuss issues arising from the new class of registration as well as the possibility of the government removing existing exemptions.

The standards adopted by the Registration Committee are consistent with the national standards as reflected in the Mutual Recognition Agreement in Psychology (MRA) as well as with standards adopted by the Canadian Psychological Association, the Association of State and Provincial Psychology Boards (representing 62 psychology jurisdictions in North America), and those in place in most individual Canadian psychology jurisdictions.

We anticipate that the College will be involved in ongoing discussions with government along with the various groups whose members may be directly affected by removal of the exemptions.

The Extraordinary Application Period

Two major events led to the committee's decision to implement an "extraordinary application period". The first is the implementation of the new bylaws, driven by the provisions of the MRA and the availability of registration for both doctoral and master's level applicants. The second results from the recommendation of the Health Professions Council that existing exemptions as per the Psychologists Regulation under the *Health Professions Act* be lifted. Ongoing discussions with government continue to support the view the government does intend to implement all recommendations of the Health Professions Council. [Copies of these reports are available on the College website under the links section or at www.healthplanning.gov.bc.ca/leg/hpc/review/index.html].

During 2003 we met with representatives of the B.C. Association of School Psychologists (BCASP), the BC branch of the Canadian Counselling Association, the BC Association of Clinical Counselors, and other groups of individuals such as a group of university faculty to discuss the implications of this recommendation. We also initiated and participated in meetings in Victoria with Alan Moyes (Executive Director, Ministry of Health Planning) and representatives from the Ministry of Education regarding school psychology practitioners. These meetings indicated general support for the mechanisms that we have established for the extraordinary period. Both ministries hope that a similar procedure could be used when and if the exemptions are lifted.

The extraordinary period was from January 1 to May 1, 2003. Over 100 individuals took advantage of this extraordinary period, representing school psychology, corrections, counselling and other areas of psychology. The registration criteria were not changed; rather, the accommodations provided an extension of time within which registration criteria would need to be met (such as completion of the EPPP exam and the internship), and recognition of work experience in psychology. Individuals accepted for registration under these provisions will be placed on the Limited Register until all registration requirements have been met. Further, some individuals will have more ongoing restrictions on their license to practice.

The Committee established general policies, procedures and criteria for the extraordinary period. The guiding principles were as follows:

- commitment to regulate psychology practitioners
- criteria and processes to establish minimal entrance criteria for independent practice in psychology
- mechanisms for accountability and support when upgrading to entrance criteria

It is anticipated that the mechanisms used during the extraordinary period would apply to other psychology practitioners working in the school system who meet the basic eligibility criteria established by the Registration Committee if the exemptions are lifted.

This process is not without controversy, and there is much misinformation in the community about the interest of the College in extending a welcome to master's level practitioners who meet criteria, and in offering the accommodations of the extraordinary period. Much effort was placed in developing fact sheets and other information documents to ensure that accurate information was available. See for example, the fact sheet and FAQ's on the College website.

The work involved in the initial review of the applications under the extraordinary period was extensive. Four criteria were used to review extraordinary applications for degree acceptability:

1. Degree granted by a recognized regionally accredited institution.
2. Degree granted from a psychology department.
3. Degree granted in psychology.
4. Degree psychological in nature.

Much future work will be required, including development of supervision protocols and ways in which the College can evaluate and facilitate relevant supervised experience for these extraordinary applicants.

Oral Exam for Extraordinary Applicants

It was decided that the oral exam for extraordinary applicants will consist of two parts as follows: Part A will focus on awareness of competence areas, limits of competence, and related ethical decision-making for the purpose of assisting in determining limitations on scope of practice prior to placement on the Limited Register. Part B will be similar to the current oral exam, and will be undertaken after all other requirements have been fulfilled.

Mandatory Orientation

The Registration Committee decided to require all extraordinary applicants to participate in a mandatory orientation about the functioning of the College and the responsibilities of a College registrant. Four such workshops were held during 2003 for applicants for registration under the extraordinary provisions. It may be that this orientation will become mandatory for all applicants.

2. Application for Registration Issues

Psychological Associates and the MRA

The MRA states that after July 1, 2003, all applicants will be assessed on the core competencies. Psychological Associates who were licensed in their home jurisdiction after that time are eligible for mobility. The MRA does not provide for automatic eligibility of reciprocal applicants who were licensed as psychological associates prior to July 1, 2003. The Committee agreed that these applications would be reviewed on a case-by-case basis to determine if they meet the foundational and core competencies.

Degree Authorization Act

The Registration Committee formed a task force to deal with issues related to the government's enactment of the *Degree Authorization Act (DAA)*. The task force consisted of Drs. McDonald, Bradley, Washburn and Wilkie. The *DAA* was passed in 2002. This legislation allows for advanced education, including graduate training, to be offered by institutions other than chartered universities. Its stated goal is to improve access to higher education. The Registration Committee had a number of concerns. The *Act* was non-specific on a number of aspects. For example, the *Act* authorized the establishment of a Degree Quality Assurance Board (DQAB) that will carry much of the policy and procedural decision-making, and be responsible for the balance of access (student benefits) with quality control (public benefit). As much of the implementation of the *Act* will be determined in committee rather than through legislation, there was concern about the process by which the new legislation would be implemented, and potential for the composition of the DQAB to highly influence what policies and systems are developed. The most pressing concern was that there would be a loosening of the standards for graduate-level training in psychology. There could be a diversity of institutions offering master's and doctorate training: public university colleges; US-based private schools (often for-profit); locally-based private schools (profit and non-profit). The issue of distance education was an additional concern as it is associated both with access and quality control issues.

The Task Force met with Jim Soles, Assistant Deputy Minister in May, 2003 to better understand the government's view of the importance of consultation with health professions regarding the implementation of the DAA and the role of the health professions on the DQAB. This was a successful meeting in which Mr. Soles was receptive to our concerns about quality issues and indicated that the government was willing to include health professions in relevant discussions. The College received draft documents from the Ministry in September, 2003 regarding the proposed degree quality assessment process under the DAA and invited feedback. Based on our review of the document, we made a submission that drew the Ministry's attention to a number of steps in the review process that appeared unclear. Overall, we were pleased that the Ministry and the Degree Quality Assessment Board wanted to collaborate with regulatory bodies to ensure high educational and professional standards in BC.

The College received a second communication from the Ministry requesting feedback on draft criteria for the use of the word 'university' by private and out-of-province public post-secondary institutions. We responded with comments and questions related to this as well.

Next steps include developing a protocol for providing feedback on new degrees/institutions being reviewed by the DQAB and to keep our eye on the website for applications coming through the system. The turnaround time for submissions was typically very short. This put tremendous pressure on staff and the committee to produce a thorough and thoughtful submission together in each instance. Much appreciation to staff and task force members for their excellent work. It is unclear how much of a concern this will be to the College in coming years, but it seems prudent to continue to be informed and involved.

Assessment of core competencies

The process for assessing core competencies was confirmed. The Registration Committee will continue to assess all applicants on the core competencies and reaffirmed its expectation that the applicant will have achieved the core competencies prior to application.

Year of post-degree supervision

The committee endorsed the introduction of a post-degree year of supervised experience for all applicants. The earliest date for implementation is 2006.

Coursework requirements

Three principles were confirmed with regard to coursework requirements:

- the College's registration criteria are to be consistent with those established by the Canadian Psychological Association;
- the scope of practice for psychological associates and psychologists is identical; and
- applicants graduating from CPA/APA accredited programs are considered to have met the registration coursework criteria.

The Committee reaffirmed current coursework requirements; however, it was recognized that applicants can argue equivalence regarding senior undergraduate courses for required courses in foundational knowledge in psychology, bringing the registration criteria in line with CPA accreditation standards. During the 2003 year it was decided to amend the registration criteria coursework requirements to include two professional practice courses, one in intervention and one in assessment. This change ensures the registration criteria are consistent with our obligations to assess the core competencies.

Criminal Record Review

The committee reviewed the *Criminal Record Review Act* and decided that additional information may be required for new applicants and supported a bylaw change in this regard.

Written Jurisprudence Examination

Scores on the Written Jurisprudence Exam are being closely tracked. Most applicants pass on the first attempt. It was decided to clarify the wording of some items of the exam.

3. Title Issues

Names of Incorporated Companies

Although the College has decided at this point not to take on the additional responsibility of regulating incorporated companies, we do receive frequent requests to give approval to company names, a step that is required in order to incorporate.

The Registration Committee adopted the following policy with regard to names of incorporated companies: The name of the Corporation must meet the requirements set out in the College of Psychologists Code of Conduct, the *Company Act* and the *Health Professions Act*. In addition, the Corporation must not have a number name, the corporate name must include the words "Professional Corporation" or "Société professionnelle", the corporate name must include the surname of one or more Shareholders of the Corporation as the surname is set out in the College register, the corporate name may also include the Shareholder's given name, one or more of the Shareholder's initials or a combination of his or her given name and initials; the corporate name must indicate the health profession (Psychology) practised by the Shareholders; the corporate name must not include any information other than that permitted or required, and the corporate name must not violate the provisions of any other Act.

In the case of company names for unincorporated companies, the Code of Conduct standards regarding advertising must be followed, in particular section 10: Advertising and other public statements.

Retention of Title

A policy was developed with regard to registrants whose registration has been suspended or cancelled, for a period of six months or less as the result of a decision of the Board, Registration or Inquiry Committee. These individuals will retain the title (i.e. psychologist or psychological associate) in effect at the time of their suspension or cancellation. If the suspension or cancellation has been for longer than six months, the individual will be required to make a new application for registration. This is an important consideration, especially for registrants who may have been accepted for registration during a grandfathering period. For example, if a psychologist who holds a master's degree does not pay their renewal fees and is removed from the Register, he or she will need to reapply as a new applicant (psychological associate) if off the register for more than six months.

Yellow Pages/Super Pages Advertising

The Code of Conduct section 10.6 requires that registrants include their registration number in all advertisements. This includes telephone book listings. This requirement emerged from the refusal on the part of the Super Pages to provide any screening of individuals requesting a listing under "Psychologists" in the yellow pages. Identification of registrants of the College by registration number is both a protection of public and protection of title issue.

4. Registration Renewal Issues

Registration Renewal

I am pleased to report that the renewal process was much improved this year over the renewal process for the 2002 year. Appreciation to registrants for understanding the need for one firm deadline for payment of full fees and for taking the responsibility to ensure that all required information is provided on the renewal form. Some confusion remains with regard to eligibility for the different categories of registration. The committee is firm that if a registrant is working, he or she cannot choose to be on the Limited Register by virtue of the specific nature of his or her employment. Placement on the Limited Register by way of signing Declaration B on the registration renewal form is exclusively for registrants who are temporarily not working [practising] for reason of medical, parental or maternity leave, sabbatical, or are registered in another psychology jurisdiction ("Out of Province").

Reinstatement issues

The committee adopted the following policy: former registrants who have been off the register for six months or less may request reinstatement; former registrants who have been off the register for a longer period would need to reapply.

Area of Practice

The College has on file the area of practise for all registrants, and it is clearly indicated for all new applicants. The Registration Committee agreed that the area of practice will remain in the renewal form. The Committee discussed the issue of registrants changing their area of practice at renewal, and reciprocal applicants changing their area of practice from that of their home jurisdiction at application. The Registration Committee decided that registrants, starting at renewal 2005, and reciprocal applicants, beginning on form revision completion, would be required to provide an explanation of a change in area of practise. Further policies on this issue will ensue.

Processing Fee

Bylaw 50(3) requires that registrants inform the College in writing (regular mail or fax), clearly indicating a change in address or any other information on the Register. Due to the volume of mail handled by the College, and the cost and time involved in dealing with returned mail and making changes to this information, a \$100 processing fee will be assessed to registrants who do not adhere to this bylaw.

It was a pleasure to work with the Registrar and her staff over the past year and my gratitude is also extended to the hardworking, insightful and dedicated members of the committee who so generously gave of their time, energy and expertise.

Respectfully submitted,

Michael F. Elterman,
Chair

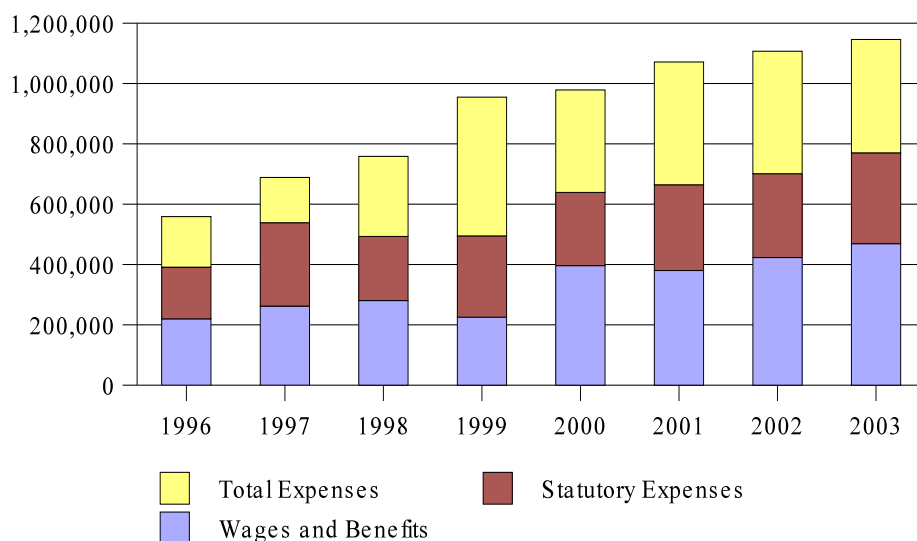
FINANCE COMMITTEE REPORT

Expenditures for the 2003 year were within budgeted expectations. Revenues exceeded the budgeted amounts due to the unplanned revenues received from applications under the extraordinary provisions established by the Registration Committee. This additional revenue was considered as part of 2004 budget planning. Fees were increased by \$100.00 to help provide financial stability in light of uncertainty in the number of registrants and retirement, and staffing needs in response to increasing workload. Audited Financial statements for the 2003 year from Raber Mattuck are appended at the end of this Annual Report.

Table 1: Expenses as Percent of Total Expenses

Year	Wages and Benefits		Statutory Expenses		% of Total Expenses		% Increase from Previous Year
	Amount	%	Amount	%	Amount	%	
1996	219,693	39	171,528	31	558,824	70	N/A
1997	262,099	38	276,641	40	687,688	78	23
1998	280,683	37	212,330	28	758,499	65	10.3
1999	225,278	24	269,623	28	954,682	52	25.9
2000	396,422	40	242,725	25	978,860	65	2.5
2001	380,312	35	284,161	27	1,071,386	62	9.5
2002	423,012	38	278,125	25	1,106,904	63	3.3
2003	469,062	41	301,244	26	1,146,128	67	3.5

Figure 1: Wages and Benefits/Statutory Expenses as Percent of Total Expenses



REGISTRAR'S REPORT

I am pleased to provide a report on the activities of the College for the year 2003. This report is divided into four main sections:

- I. The first section offers a brief summary of the scope and variety of activities of the College in meeting its mandate of regulating psychology in the public interest under the *Health Professions Act*.
- II. The second section provides an in depth description of activities in the area of registration.
- III. The third section provides a descriptive and statistical analysis of complaint and other investigative matters.
- IV. The fourth section summarizes administrative activities related to external relationships and our obligations under the Ombudsman and Freedom of Information and Protection of Privacy Acts.

I. SCOPE OF COLLEGE ACTIVITIES

The mandate of the College of Psychologists of British Columbia is to regulate the profession of psychology in the public interest. In fulfilling this mandate, the Board has established a set of objectives which include the following:

the establishment, maintenance and administration of requirements for registration and continuing registration as a psychology practitioner in British Columbia consistent with national and international standards (both substantive and procedural) for professional regulation in psychology;

the efficient and timely management of complaints;

the establishment and maintenance of regular and effective communication with registrants about regulatory issues affecting them;

to enhance the profile, standing and credibility of the College with government;

the development and maintenance of an effective system for document control, management, filing and storage, and the assurance of data integrity, security, control and management.

The main activities which comprise the efforts to reach these objectives are described in the chart which follows. This list is intended to be descriptive and informative, not exhaustive.

Table 2: Scope of College Activities

R E G I S T R A T I O N M A T T E R S		
Main Activity Area	Subactivities	Description
1. Applications	a) Application Queries	responding to queries regarding registration criteria processing payment for application package determination of eligibility for application categories [reciprocal, regular, temporary, extraordinary]
	b) Review of Application Files i. Completeness ii. Credentials and Consistency iii. Evaluation of Core Competencies as per the Mutual Recognition Agreement (MRA)	review of application files for completeness, follow up on references, previous license to practice, criminal record check review of application for credentials and consistency, follow up on questions regarding consistency between training and credentials and intended area of practice processing application fees correspondence, review of submissions, and decision-making with regard to issues arising from file review, criminal record check and references review of files, references, for evaluation on the core competencies as per MRA
	c) Administration, Scoring, Communication of Results for Required Examinations	EPPP, oral examination, written jurisprudence examination for regular applicants written jurisprudence examination for reciprocal applicants EPPP, written jurisprudence examination, oral examination part A and part B for extraordinary applicants administration, scheduling, scoring and communication of results rescheduling of examinations for individuals who don't pass correspondence, review of submissions and decision-making for applicants for whom failure or placement on the Limited Register is recommended processing examination fees
	d) Placement on the Register or Limited Register	arranging supervision for limited registrants including training of supervisors, obtaining supervision agreements monitoring and support for ongoing supervision, tracking of supervision reports, terms and conditions processing supervision fees, registration fees, issuance of certificates, confirmation of insurance coverage

R E G I S T R A T I O N M A T T E R S (C o n t i n u e d)

Main Activity Area	Subactivities	Description
2. Registrant Activities	a) Queries	responding to queries regarding registration status, confirmation of registration for insurance companies and other third party payers
	b) Renewals	processing registration renewals review of renewal information and follow up on incomplete information query/follow up of information as required entering and tracking changes to register information
	c) Registrant Services	compilation and printing of directory compilation and printing of chronicles, annual report, mailouts Registration Committee activities development of proposals for committee consideration, e.g., criteria for coursework requirements implementation of committee decisions and policies processing address changes processing registration status changes provision of verification of status documents to third parties by registrant request annual report to registrants preparation for information meetings and AGM administration of continuing competency program
	d) Committee and Board Activities	development of proposals for committee and/or Board consideration implementation of policy decisions by committees or Board implementation of directions from committees or the Board coordination of agenda preparation and distribution to committees development of proposals for consideration by Board and committees training of committee members recruitment and training of public members
	e) Policy Development	ongoing policy development and review of registration requirements for compliance with MRA and consistency with CPA, APA and other psychology regulatory and credentialling bodies ongoing policy development and implementation procedures for review and consideration of Registration Committee, e.g., supervision requirements for supervised work experience liaison/monitoring of interface with government, new legislation

I N V E S T I G A T I V E M A T T E R S

Main Activity Area	Subactivities	Description
1. Applicants	a) Investigation of fitness to practice issues for applicants	investigation of title issue violations under <i>HPA</i> and regulations under the <i>Act</i> . follow up and tracking of inappropriate use of title or practice of psychology investigation of matters related to fitness to practice for applicants
2. Registrants	b) Complaints about registrants i) correspondence with complainants and respondents ii) tracking and monitoring of all actions on complaints iii) inspections under S. 28 of the <i>HPA</i> iv) without prejudice meetings v) preparation for extraordinary hearings, hearings vi) tracking of limitations and conditions vii) coordinating with Inquiry Committee members viii) ongoing liaison with College counsel	ensuring principles of hearing and notice notification and updates, request for clinical records letters under sections 33(4) and 33(5) of the Act. drafting, delivering and tracking letters of undertaking decision reports logging all correspondence and clinical records document tracking appointment of inspector inspection, collection and copying of files logging, tracking and review of files arrangements and agenda for without prejudice meetings negotiating settlements and agreements preparation for disclosure preparation of hearing materials publication of suspensions ongoing liaison with supervisors ensuring complaint files are up to date and available for review ensuring delivery and receipt of complaint correspondence coordinating committee member file review communication with committee members on correspondence communicating and tracking instructions to counsel planning and consultation

E X T E R N A L R E L A T I O N S H I P S

Main Activity Area	Subactivities	Description
1. External Relationships	a) Other psychology regulatory bodies i) Canadian regulators ii) North American iii) International	meetings throughout the year implementation and clarification of Mutual Recognition Agreement meetings at Council of Provincial Associations of Psychologists - twice a year ASPPB - twice a year once every 3-5 years
	b) Other psychology organizations	liaison with BCPA implementation of letter of understanding coordinating communication
	c) Other regulatory bodies (monthly meetings)	Executive Directors and Registrars Health Regulatory Organizations
	d) Government i) Office of Professional Regulation ii) Office of the Freedom of Information and Protection of Privacy Commissioner iii) Ombudsman's Office iv) Board Allocation and Resources Office	liaison with office of professional regulation regarding bylaw development and approval review and response to submissions from other regulated professions receipt and tracking of all requests for information under FOIPPA responding to all requests within time frame and making decisions on severing and withholding documents decision-making with regard to appeals to Inquiry and seeking appropriate legal consultation timely responses to inquiries from the office of the Ombudsman. liaison and correspondence with regard to public appointees

II. REGISTRATION/APPLICATION MATTERS

This section reviews activities at the College to do with the Register of the College, application for registration, and registrant matters in the following nine sections: 1. the College Register 2003, 2. summary of application activity, 3. status of application files, 4. area of practice, 5. examinations, 6. extraordinary applicants, 7. time from application to registration, 8. registrant status issues and 9. correspondence.

1. The College Register 2003

As shown in Table 3 below, there was a small decrease in the number of registrants for the College. With the current demographic profile of registrants, it is anticipated that an increasing number of registrants will be retiring over the next 5-10 years.

Table 3: The College Register 2003 as at Dec. 31, 2003

Category	2001	2002	2003
Full Register	873	863	889
Limited Register- Inquiry Committee		15	14
Limited Register- Inquiry Com.-Non-Practicing		1	1
Limited Register - Out-of-Province	57	58	43
Limited Register - Non-Practicing	51	61	17
Limited Register- Retired	19	17	15
Limited Register- Registration Committee		1	2
Limited Register- Temporary		1	2
Limited Register-Pending as at Dec. 31, 2003			1
Totals	1000	1017	984

* numbers are amended/corrected from 2002 annual report.

2. Summary of Application Activity

Table 4 provides a summary of the number of applications processed during 2003 along with comparison data for the previous two years. Two major differences from previous years should be noted. First, because of the decision to provide an extraordinary registration period (described above in both Chair and Registration Committee reports), the office was processing a dramatic increase in the number of applications during 2003. Second, as indicated in the table, 2003 was the first year that individuals who applied under the provisions of the Mutual Recognition Agreement completed the registration process. A total of 4 reciprocal applicants completed the registration process in 2003. Fifteen (15) regular applicants completed the registration process, for a total of 19 new registrants in 2003. This number is anticipated to be significantly higher in 2004.

Table 4: Application Activity Summary

Activity	2001	2002	2003					Total
			Regular	Temporary	Reciprocal	Extraordinary	Unclassified	
Application packages requested	84	84						221
# of applications received	26	53	41		14	106	2	163
Appl. for temporary registration	3	0		2				2
# of applications withdrawn	1	0						0
# of applications refused	2	0				9		9
# of applicants registered	35	19	15		4			19
# of application files open	82	83	85		28	110	2	225*

* The total of 225 is the total number of application files which were processed during the 2003 year.

3. Status of Application Files

The table below (Table 5) shows the status of the 225 application files as at December 31, 2003. The file indicated as “suspended” in the table reflects a decision of the Registration Committee to place an application on hold as matters related to a positive criminal record check were investigated. The large numbers of application files created an unprecedented volume of correspondence, document tracking and related work for the College staff. As at December 31, 2003 a total of 82 files were at initial stages of review for completeness and submission of all required documentation. A further 65 files were under credential and consistency review. This review is a careful examination of formal academic training, supervised and work experience in relation to declared areas of intended professional activity, review of references and follow up on any issues emerging from the review.

Table 5: Application Status as at December 31, 2003

	Regular	Reciprocal	Extraordinary	Unclassified	Total
Initial review, data entry, completeness check	13	9	60		82
Under review for credentials and consistency	22	3	40		65
EPPP	13	n/a			13
Written Jurisprudence Exam	4	12			16
Oral Examination	10	n/a			10
Refused/Not eligible	1		9	2	12
Suspended			1		1
Registered	15	4			19
Expired/Withdrawn	7				7
Total	85	28	110		225

4. Area of Practice

An applicant is required to indicate one area of practice in psychology on the application form. This area is expected to be the broad area of practice which best describes the individual's training and competence. Table 6 below depicts the area of practice indicated by the applicants in 2003.

Table 6: Area of Practice 2003

Area of Practice	Regular	Reciprocal	Extraordinary	Unclassified	Total
Clinical Psychology	52	17	25		84
Counselling Psychology	23	4	47		74
Clinical Neuropsychology	6	2			8
School Psychology	3	2	31		36
Health			1		1
Rehabilitation		1	1		2
Research/Academic	1				1
Forensic/Corrections		2	15		17
Total	85	28	110	2	225

5. Examinations

There are three examinations for regular applicants: the EPPP, the oral exam (OE) and the written jurisprudence examination (WJE). Reciprocal registrants are only required to complete the WJE. Table 7 below summarizes examination results for 2003. No extraordinary applicants reached the stage in the application process to be eligible for any of their required examinations which include EPPP (or the National Association of School Psychologists (NASP) examination for individuals self-selecting permanent placement on the Limited Register in school psychology), the oral exam (which has been divided into two parts for these applicants) and the WJE.

Table 7: Examination results

	2001	2002	2003
Number of applicants who wrote EPPP	48	9	16
Number of Oral examinations	44	13	15
Number of WJE examinations	0	21	19

The EPPP exam was taken 16 times in 2003 with five failures. Of the three people who retook the EPPP, two passed on the second attempt.

For oral examinations, 15 examinations took place in 2003, one of which was a second attempt. For the 14 first time examinees, 12 passed all eight areas, one failed two areas and one failed 5 out of the 8 content areas. The individual who failed in two areas retook the exam and passed all 8 areas on the second attempt. The individual who failed in five of the eight areas is planning to retake the examination.

The WJE examination was administered 19 times in 2003 (16 applicants; with three individuals taking the exam twice during the year), 11 regular and 5 reciprocal applicants. Six applicants failed the on the first attempt in 2003. Three of these retook the exam in 2003 and two of the three passed on the second attempt. While all failures are communicated to the applicants, passing the exam is a requirement only for applicants who applied for registration after July 1, 2001.

We reviewed the WJE exam item by item and made some wording changes to increase clarity.

6. The Extraordinary Applicants

Extraordinary applicants completed a mandatory orientation workshop during 2003. The orientation workshop included sessions on the following:

- introduction to professional regulation, including a history of regulation of psychology in B.C., a review of the Mutual Recognition Agreement (MRA) and discussion of national standards, the *Health Professions Act*, registrant responsibilities and relationship to the College;
- preventive practice including an area-by-area review of the Code of Conduct, common complaint areas, and review of common legal issues; and
- ethical decision-making.

The 110 extraordinary applicants are typically individuals who have worked in the field of psychology under current exemptions and most have many years of experience. One of the eligibility criteria established by the Registration Committee was that applicants must have been members in good standing of another regulatory or quasi-regulatory body. The table below (Table 8) depicts the organizational affiliation of these applicants.

Table 8: Organizations for extraordinary applicants

American Association of Marriage and Family Therapists (AAMFT)	4
British Columbia Association of School Psychologists (BCASP)	32
Canadian Association of Rehabilitation Professionals (CARP)	1
Canadian Counselling Association (CCA)	4
College of Teachers	2
Correctional Services of Canada	25
Equivalent*	2
Foreign License	2
National Association of School Psychologists (NASP)	1
B.C. Association of Clinical Counsellors (BCACC)	28
Registered Nurses	2
Board of Registration for Social Work	1
UBC Faculty*	6

* Two individuals, while not members of any specific organization, and the faculty members were determined to have had work experiences of sufficient structure to be equivalent to membership in a quasi-regulatory body.

7. Time from application to registration

Of the 15 regular applicants, one file is not included in the table below (Table 9) as the application was put on hold for an extended period by the applicant. Of the remaining 14 regular applicants who completed registration in 2003, it took an average of 13 months from application to date of registration with a range of 11-22 months.

For reciprocal applicants completing the application process in 2003, it took an average of 9 months to become registered, with an average of 6-13 months. This period is expected to be shorter in the coming year.

Table 9: Length of time in months from application to registration

	2002		2003			
	Regular		Reciprocal		Regular	
	Mean	Range	Mean	Range	Mean	Range
Average # of months from application to registration	9 mo. (n=16)	6-16	9 (n=4)	6-13	13 (n= 14)	11-22

8. Registrant Status Issues

A significant amount of activity occurs with regard to movement between registration categories and individual's moving on and off the register during the course of the year. Policies and procedures are being developed and refined in this area.

9. Correspondence with Applicants and Registrants

The large number of applications had serious implications for work load in 2003. One of the clearest indications of this is in terms of the amount of correspondence to applicants and registrants, as indicated in Table 10 below.

Table 10: Correspondence with Applicants and Registrants

	2001	2002	2003
Correspondence (Number of letters to applicants and registrants on registration matters)	500	2500	5658**

**It should be noted that this number includes some mailouts to groups (i.e. letters to all extraordinary or regular applicants) but not Chronicles, renewal certificates, reminder postcards which would add another 5000-6000 items of correspondence.

III. COMPLAINT AND INVESTIGATIVE MATTERS

This section will review nine areas of complaint tracking, followed by a summary of investigation of title issue violations and the Psychologists Regulation:

1. Complaint file status as at December 31, 2003.
2. Descriptive complaint summary
3. Length of time from receipt to file closure
4. Closing reasons for closed complaints
5. Summary of components of the investigative process
6. Letters of undertaking
7. Complaint history and number of registrants with complaints
8. Complaint correspondence
9. Investigation of title issue violations and the Psychologists Regulation

1. Complaint file status as at December 31, 2003

The College continues its efforts to document and describe the complaint process to registrants and the public. Since the College of Psychologists came under the *Health Professions Act*, the College has processed a total of 327 complaints, including the 97 "backlog" complaints that were open on January 1, 2000. Below is a summary of complaint file status in 2003.

File status is described for the following complaint groupings:

- a. "backlog complaints" which are complaints open as at January 1, 2000.
- b. complaints received in the year 2000
- c. complaints received in the year 2001
- d. complaints received in the year 2002
- e. complaints received in the year 2003
- f. all complaints processed by the College under the *Health Professions Act* (i.e. after January 1, 2000).

a. "Backlog" Complaint files (n=97)

As of December 2002, the College had resolved 90 of the 97 files which were unresolved as of January 2000. The same 7 files open in December 2002 remained open on December 31, 2003. These 7 files belong to one respondent, a former registrant. The respondent has obtained new legal counsel and a letter of undertaking was being negotiated, as at December 31, 2003.

b. Files received in 2000 (n =63)

Of the 63 complaints received in the year 2000, all have been closed except for a total of six files which are in negotiation for a letter of undertaking.

Table 11 : Complaint File Status as at December 31, 2003

Status	"Backlog"		2000		2001		2002		2003		All Complaints	
	#	%	#	%	#	%	#	%	#	%	#	%
Awaiting Review									9	17	9	3
Active Review							1	2	9	17	10	3
Citation					6	10	2	4			8	2
Clinical File Request/Receipt									8	15	8	2
33(4)									2	4	2	1
33(5)							4	7	8	15	12	4
HPA Section 28 Inspections									1	2	1	.5
Without Prejudice Meeting									1	2	1	.5
Letter of Undertaking	7	7	6	10	3	5	2	4	2	4	20	6
Total # open files	7	7	6	10	9	15	9	17	40	75	71	22
Total # closed	90	93	57	90	51	85	45	83	13	25	256	78
TOTAL	97	100	63	100	60	100	54	100	53	100	327	100

c. Files received in 2001 (n = 60)

Of the 60 complaints received in 2001, the Inquiry Committee has moved to citation for a discipline committee hearing on six files, and three files are under negotiation for a letter of undertaking. All the remaining files are closed, having been dismissed or resolved.

d. Files received in 2002 (n = 54)

For the 54 complaints received in 2002, 1 file remains under active review, a citation has been issued for 2 files, a 33(5) letter (a letter under section 33(5) of the *Health Professions Act* that requests the respondent to provide the Inquiry Committee with any information it wants the committee to consider, along with providing the respondent with all of the documents in the complaint file) had been issued on another 4 files, and two files were in negotiation for a letter of undertaking as at December 31, 2003.

e. Files received in 2003 (n = 53)

There were 53 complaints received in 2003. As shown in Table 11, 25% of these 53 complaints were closed by the end of the year. The remainder of complaints are spread out throughout the other file status categories. The files in the “awaiting review” category were received towards the end of the year and had not yet been assigned for in-depth review by December 31, 2003.

f. All files processed by the College under the *Health Professions Act* (n=327)

As summarized in Table 11, a total of 327 files had been processed by the College by December 31, 2003 under the *Health Professions Act*. Of these, 78% were closed as at December 31, 2003 (n=256). There were 71 open files on that date at various stages of the complaint process.

2. Descriptive Complaint Summary

The descriptive variables which have been tracked on all complaints received post-January 1, 2000 are: primary allegation made by the complainant, complaint context, area of practice, complainant type, and length of time to close files.

a. Primary Allegation

For complaints received in 2003, a smaller percentage appear in the assessment category than in previous years (36%) while there is an increase in the percentage of primary complaint allegations related to competence (19%). The other two main areas of primary allegations are professionalism/obligations and relationship with clients (17% each). These numbers may represent a change in the content of complaint concerns. Alternatively they may be reflective of our greater precision in describing primary allegations with the introduction of the Code of Conduct and our tracking of allegations according to Code of Conduct categories. See Table 12.

Table 12: Primary Allegations

Primary Allegation	“Backlog”		2000		2001		2002		2003		All complaints	
	#	%	#	%	#	%	#	%	#	%	#	%
Advertising & Public Statements	1	1					2	3.7			3	1
Assessment	57	58.7	28	44.4	28	46.7	24	44.4	19	36	156	48
Competence	6	6.2	2	3.2	1	1.7	3	5.6	10	19	22	7
Confidentiality	8	8.2	2	3.2	3	5	5	9.3	2	4	20	6
Dual Roles	7	7.2	2	3.2	1	1.7	2	3.7			12	4
Fees/Statements			6	9.5	1	1.7			1	1.75	8	2.5
Impairment					1	1.7					1	.33
Informed Consent			5	7.9	4	6.7	3	5.6	1	1.75	13	4
Record Maintenance									1	1.75	1	.34
Professionalism/ Obligations	6	6.2	6	9.5	8	13.3	6	11.1	9	17	35	11
Provision of Services			1	1.6	3	5	1	1.9			5	1
Relationship w/ Clients	9		10		10		7		9	17	45	14
Rep. of Services									1	1.75	1	.33
Violation of Law	2	2.1	1	1.6			1	1.9			4	1
Total	97	100	63	100	60	100	54	100	53	100	327	100

b. Complaint Context

As shown in Table 13, over 60% of all complaints received by the College under the *Health Professions Act* were in the assessment context, compared with 24% in intervention, 13% in various other contexts and only 1% in consultation. This distribution holds for complaints received in the 2003 year as well.

Table 13: Complaint Context

	“Backlog”		2000		2001		2002		2003		All complaints	
	#	%	#	%	#	%	#	%	#	%	#	%
Assessment	64	66	36	57.1	36	60	33	61.1	34	64	203	62
Consultation			1	1.6	3	5					4	1
Intervention	21	22	20	31.7	15	25	10	18.5	12	23	78	24
Other	12	12	6	9.5	6	10	11	20.4	7	13	42	13
Totals	97	100	63	100	60	100	54	100	53	100	327	100

c. Area of Practice

For complaints received since January 2000, we have been assigning a general practice category to describe the area of practice in which the complaint occurred. These terms are descriptive only. As the table illustrates, 45% of the 233 complaints were in the broad area of clinical psychology, with an additional 28% in a subset of clinical psychology - custody and access. See Table 14.

Table 14: Complaint - Area of Practice

	2000		2001		2002		2003		All complaints	
Complaint Area of Practice	#	%	#	%	#	%	#	%	#	%
Clinical Psychology	27	43	25	42	28	52	22	42	102	44
Custody and Access	15	24	22	37	14	26	13	24	64	28
Counselling Psychology	2	3	8	13	2	4	4	8	16	7
Forensic/Correctional	12	19	2	3	5	9	5	9	24	10
Industrial/organizational					1	2			1	1
Neuropsychology	3	5	1	2			2	4	6	3
Rehabilitation Psychology	1	2	1	2			3	6	5	2
Research/Academic					2	4			2	1
School Psychology	1	2	1	2			4	4	6	3
N/A	2	3			2	4			4	2
Totals	63	100	60	100	54	100	53	100	230	100

d. Complainant Type

As shown in Table 15, 28% of complaints received in the year 2003 came from third party situations, such as court-ordered or WCB assessments. Nine complaints (17%) came directly from clients and 15% from client relatives. A total of 15% of complaints were registrants lodging complaints regarding the conduct of another registrant. These percentages are similar for complaints received in 2000, 2001 and 2002.

Table 15: Complainant Type

	“Backlog”		2000		2001		2002		2003		All Complaints	
	#	%	#	%	#	%	#	%	#	%	#	%
Client - 3 rd Party situation	9	9	23	36	29	48	17	31	15	28	93	28
Client - direct	69	71	17	28	10	17	8	15	9	17	113	35
Client relative	1	1	6	9	9	15	9	17	8	15	33	10
Colleague	13	13	13	21	9	15	6	11	8	15	49	15
Inquiry Committee	2	2	2	3	2	3	4	7	6	11	16	5
Other	3	2	2	3	1	2	10	18	7	13	23	7
Totals	97	100	63	100	60	100	54	100	53	100	327	100

3. Length of Time to Close Files

The average of 15.5 months to close a file, as reported in the table below, is under the 18 month target which is stipulated as desirable in the case law for regulatory complaints. More importantly, there is a clear trend over the past few years towards less time to close files.

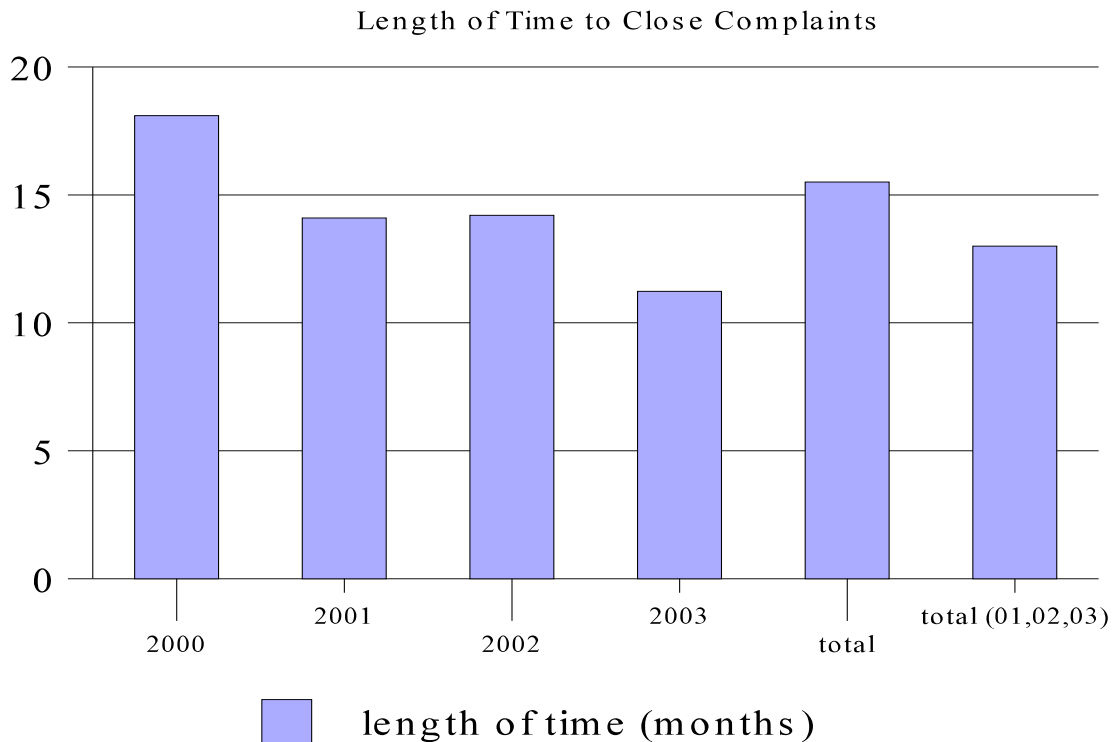
Length of time from receipt to closure is only 13 months when the years 2001, 2002 and 2003 are combined, as a number of the files closed during the year 2000 were from the “backlog” files. Many of these complaints had been unresolved for some time. See Figure 3.

Table 16: Time to Close Files

	2000	2001	2002	2003	Total
Average length of time in months to close file for complaints closed during that calendar year	18.1 N=70	14.1 N=78*	14.2 n=62	11.23 n=44	15.5 n=254*

* Two complaints from 1993 which were opened for administrative reasons and later closed are not included in this computation.

Figure 2: Length of Time to Close Complaints



4. Closing reasons for complaints closed in 2003 and comparison with previous years

The tables and figures below confirm the pattern of complaint resolution reported for previous years and discussed in various College publications. As in past years, the majority of complaints are dismissed because of insufficient evidence, or not proceeded on (sometimes due to administrative or procedural reasons), or withdrawn. In past years the proportion has typically been about 2/3 of closed complaints. For 2003 this proportion is closer to three-quarters of closed complaints.

Of the remaining 12 files, 9 (21%) were resolved through the registrant agreeing to take certain steps to satisfy the Inquiry Committee that identified concerns had been addressed. Of the three remaining complaints: one complaint matter was referred to the Registration Committee to be addressed should the registrant ever reapply. The registrant had closed her practice and left the province. Two files were closed because the registrant chose to resign from the practice of psychology and is off the register.

Table 17: Closing Reasons

Closing Reasons	Closed in 2000		Closed in 2001		Closed in 2002		Closed in 2003		Closed 01/00- 12/03	
	#	%	#	%	#	%	#	%	#	%
Decision Not to Proceed	11	16	16	20	6	10	7	16	40	16
Withdrawn	5	7	2	3	2	3	1	2	10	4
Insufficient Evidence	28	40	41	51	31	50	24	55	124	48
Letter of Undertaking Signed	13	19	4	5	16	28	6	14	39	15
Resolved	10	14	14	18	2	3	3	7	29	11
Referred to Reg. Committee	1	1	3	4			1	2	5	2
Resigned					5	8	2	5	7	3
Registration Cancelled	2	3							2	1
Totals	70	100	80	100	62	100	44	100	256	100

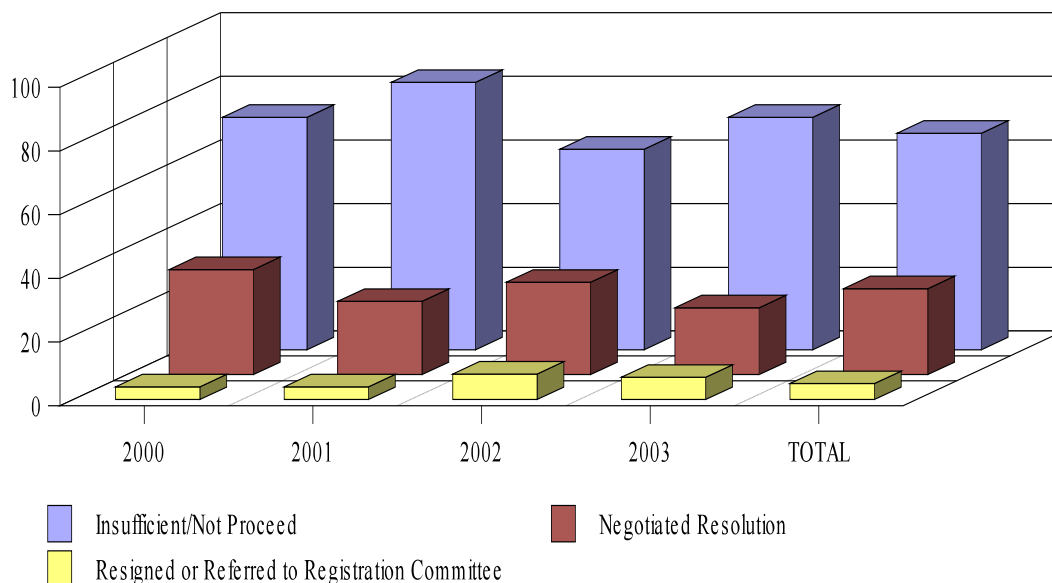
Table 18 below collapses the categories of closing reasons to illustrate the proportion of files closed through the different means of resolution of complaints, in addition to the proportion dismissed because of insufficient evidence of an ethical violation or procedural reasons.

Table 18: Summary of Closing Reasons: Means of Complaint Resolution

Closing Reasons	Files Closed in 2000		Files Closed in 2001		Files Closed in 2002		Files Closed in 2003		Closed between 01/00- 12/03	
	#	%	#	%	#	%	#	%	#	%
Decision Not to Proceed Withdrawn/ Insufficient Evidence	44	73	59	84	39	63	32	73	174	68
Resolved/ Letter of Undertaking	23	33	18	23	18	29	9	21	68	27
Referred to Registration Committee/Resigned from Practice of Psychology Registration Cancelled	3	4	3	4	5	8	3	7	14	5
Totals	70	100	80	100	62	100	44	100	256	100

A review of the 256 complaint files which were closed between January 2000 and December 31, 2003 confirms the pattern observed in previous years. Two-thirds (174) of the 256 closed files were not proceeded on for reasons of insufficient evidence, procedural issues or the complainant withdrawing the complaint and the Inquiry Committee deciding that there were no public protection concerns warranting proceeding on the complaint on their own motion. Of the remaining files, 27% were resolved with letters of undertaking, including 11% resolved without need for a formal agreement. An example of the latter is when a registrant has already made changes to their practice resulting from the complaint investigation and documents such changes to the committee prior as part of a resolution dialogue. See Tables 17 and 18 and Figure 3.

Figure 3: Means of complaint resolution



The figure above illustrates the very small proportion of complaints in which the outcome involved resignation of registration by the respondent. Of the roughly 1/3 of complaints not dismissed or otherwise not proceeded upon, the vast majority are resolved through discussion of the issues and an agreement on the terms to resolve the matters of concern.

Complaints have been processed under the current complaint tracking process since January 2000. The summary tables and charts in this Annual Report provide details in terms of the substance of common complaints and the typical consequences and means of resolution for complaints. This is useful information which may alleviate concerns of registrants who receive a complaint for the first time. As the data suggests, whenever possible, complaints are resolved through a formal or informal agreement between the registrant and the College. Where the Inquiry Committee has significant concerns about protecting the public interest, it is sometimes necessary to proceed further.

To date, only 14 complaints which were not dismissed because of insufficient evidence or not proceeded upon for procedural reasons have involved the resignation of a registrant. For example, in two instances, accounting for 7 files, registrants decided to resign completely from the practice of psychology rather than agree to practice supervision or other limitations on their license. In another instance, a registrant with two complaint files agreed to cancellation of his registration for a period of at least five years. A further five files, related to two different registrants with one and four complaints respectively, have been referred to the Registration Committee as neither respondent is currently on the register. Should these former registrants decide to reapply for registration, the complaint matters would need to be addressed as part of the reapplication process. All other complaints have been resolved through agreement between the registrant and the Inquiry Committee.

5. Other Components of the Complaint Investigation Process

There are several other special components of the complaint investigation process described below, including without prejudice meetings, extraordinary hearings, and citations and discipline hearings

a. Without Prejudice Meetings

Without prejudice meetings provide a unique opportunity for attempting to resolve complaint matters. The term “without prejudice” is used to indicate that nothing that occurs in a without prejudice meeting or correspondence may be used in any other context. If a registrant, for example, comes to such a meeting and acknowledged that he or she “made a mistake”, this admission cannot be used by the College as a means of obtaining agreement on a letter of undertaking or for any other purpose. During the year four without prejudice meetings were held with registrants in the attempt to informally resolve a total of six complaints. Out of these complaints, three were later resolved on the basis of these meetings.

One meeting was with regard to resolution of a complaint involving issues of informed consent, inadequate risk assessment and history-taking; one was a difficult case involving allegations of being a “hired gun”; one was with an individual with a large number of complaint files and the attempt was made by the College to avoid a hearing; one was to reach resolution and understanding with a registrant who provided therapy to a very disturbed personality-disordered client who had complained about boundary violations. Of the four, three were successful in bringing matters to closure.

b. Extraordinary Hearings

No extraordinary hearings were held in 2003. This preventive measure enables the Inquiry Committee to act swiftly when issues arise of sufficient public protection concern that the Committee believes a restriction on practice may be warranted. There is no testing of evidence at an extraordinary hearing - but a decision is made on whether the available evidence supports action by the Inquiry Committee. A discipline hearing is the equivalent of a full trial on all issues and a finding of fact is made at the end of the hearing.

c. Discipline Hearings & Citations

No discipline committee hearings were held in 2003. This is the fourth year in a row that matters for which a citation had been issued or which were serious enough to warrant a citation for a hearing have been successfully resolved without necessitating this costly legal step.

As of December 31, 2003, the Inquiry Committee had moved to issue a citation on 8 files (2 respondents with 7 complaints and 1 complaint, respectively). By December 31, 2003, one respondent signed an undertaking, avoiding a costly hearing.

6. Letters of Undertaking

As at December 31, 2003 a total of 20 letters of undertaking were either in preparation, were under review by the respondent or had been signed to resolve a complaint. Seven different letters of undertaking were signed during the year to resolve a total of seven complaints.

To follow is a summary of the issues addressed in this voluntary means of complaint resolution:

As a means of addressing issues arising from criminal conviction related to physical assault, the registrant agreed to complete six sessions of supervision to determine whether or not the issues that led to the conviction are a matter of public protection concern and fitness to practice.

As a means of addressing concerns regarding a custody and access report, the registrant agreed to document all efforts, successful and unsuccessful, to obtain relevant records and contact collaterals, and to document any limitations on opinions or recommendations.

To resolve a complaint in which concerns centred around making a diagnosis without having contact, to comply with sections 3.14, 3.17, 11.26, 11.27, and 11.40 of the Code of Conduct.

To resolve serious matters related to assertions of sexual abuse without conducting an assessment, and other issues related to competence in conducting assessments, the registrant agreed “to not provide any psychological services of any kind including diagnosis, assessment, opinion, comment or therapy, to any person concerning issues related to allegations of sexual abuse or to any person who has made allegations of sexual abuse or to any person against whom such allegations have been made, or to someone who has been convicted of a sexual offense”. In the event that the respondent wished these restrictions to be lifted, other conditions would apply including a period of directed learning, assessment of competence in this area and supervision of any cases in this area; and supervision for one calendar year of all and any psychological services.

To avoid a hearing on allegations of sexual misconduct, the registrant agreed to pay a fine of \$3,000.00, to provide evidence of steps taken to prevent recurrence of misconduct, to undergo assessment of fitness to practice, three month suspension and to have his practice supervised.

Two other complaint files belonging to one registrant were formally closed during 2003, although the undertaking had been underway for some time. The concerns addressed in the undertaking had to do with competence around treatment of severe personality disorders and boundary issues.

Public Interest versus Privacy Concerns

Many undertakings now include a clause which terminates the undertaking at the point at which the Inquiry Committee is satisfied that the terms of the agreement have been met. The purpose of such agreements is improvement in practice and resolution of concerns.

The College is clear about our responsibility to provide information regarding public safety and the public interest. When necessary and where there are restrictions on practice, such information is conveyed to the public in an appropriate manner.

7. Complaint Correspondence Summary

As shown in Table 19, the complaint tracking process in 2003 generated almost 1,000 letters from the College to complainants and registrants. This does not reflect the hours required to receive and log the hundreds of letters and documents received on complaint matters.

The objective of keeping complainants and respondents informed about the status of complaints accounts for almost half of all correspondence.

Table 19: Complaint Correspondence

Type of Correspondence	# of letters -2002	# of letters - 2003
Complaint Acknowledgment	54	44
Respondent Notification	54	44
Complaint Package Requests	86	81
Ongoing Complaint File Correspondence	430	411
Clinical File Request	41	1
Letters Written Under Section 33(5) of the <i>Health Professions Act</i>	35	31
Without Prejudice Meeting Requests	14	20
Correspondence Regarding Letters of Undertaking	20	26
Decision Reports	27	31
Decision Report Correspondence	47	79
Appeal Correspondence	20	75
Miscellaneous Complaint Correspondence	40	51
Title Issue Correspondence	32	29
Supervision Agreements	5	6
Supervision Correspondence	5	35
TOTAL	907	984

8. Complaints per Year and Number of Registrants with Complaints

As discussed in last year's Annual Report, it is a common misconception is that the College receives complaints on only a small number of practitioners. The tables and figures in this section identify the number of registrants about whom complaints were received, when a registrant was specified in the complaint. Some amendments and corrections to the data reported here last year have been made for the purposes of this table.

Table 20: # of Complaints per year from 1993 - 2003 and # Registrants with Complaints

Year	# of Complaints	Corrected (# with named registrant)	# Registrants
1993	31	30	21
1994	26	26	22
1995	44	44	35
1996	38	38	30
1997	45	45	39
1998	47	47	32
1999	55	53	37
2000	64	64	48
2001	60	59	42
2002	54	54	38
2003	53	53	42
Total	517	513	208*

* this figure is not a column total, as some registrants appear in multiple years.

It was decided to only include information from 1993 forward as it was on January 1, 1993 that the College began the sole responsibility of regulating the profession. There are some slight differences from the numbers previously reported because of this, in addition to the inclusion of data for 2003. The corrected numbers in the table above show the actual number of complaints with a specific registrant named as the respondent. The corrected numbers show four fewer complaints: two complaints had to do with an applicant, and two complaints did not have a respondent.

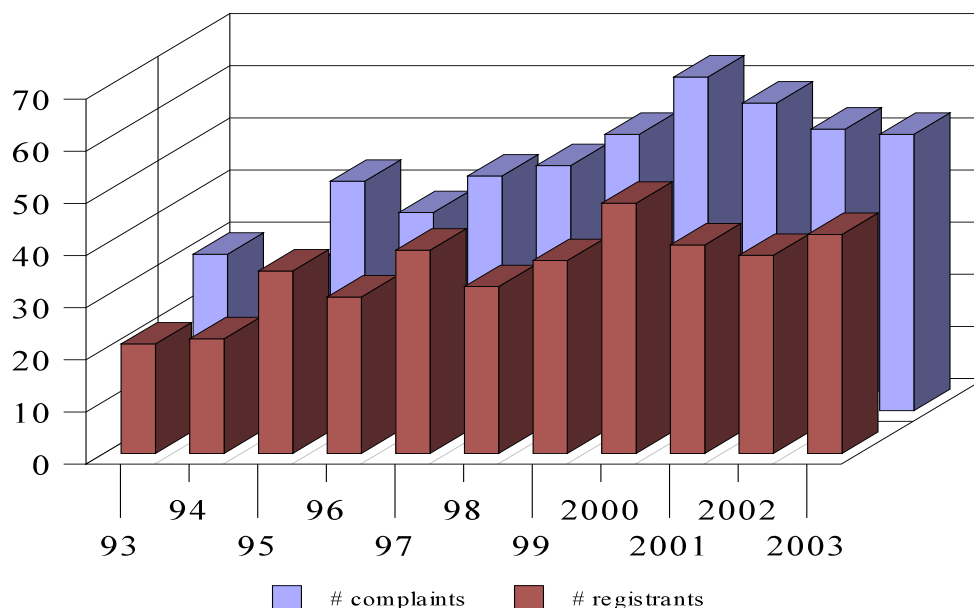
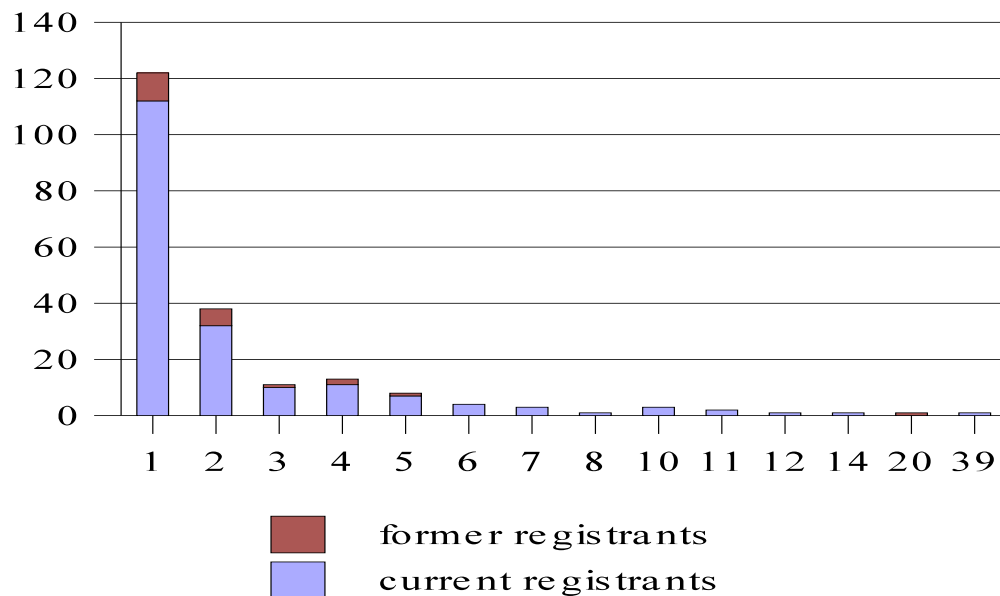
Figure 4: Complaints by Year and Number of Registrants with Complaints

Table 21: Number of Complaints Per Registrant

# of Complaints	# of Current Registrants	# of Former Registrants	# of Total Registrants
1	112	10	122
2	32	6	38
3	10	1	11
4	11	2	13
5	7	1	8
6	4		4
7	3		3
8	1		1
10	3		3
11	2		2
12	1		1
14	1		1
20		1	1
39	1		1
Total	188	21	209

As shown in Table 21, 209 registrants (all but 21 of whom were on the register of the College on December 31, 2003), have had at least one complaint. For current registrants, this means that 188/984 (19% of registrants) have had at least one complaint.

Figure 5: Complaints per Registrant (Current and Former)

9. Investigation of Title Issue Violations under the Psychologists Regulation

The College is investigating an increasing number of title issues, the purpose being to inform practitioners about appropriate use of title as well as to enforce the provisions of the Psychologists Regulation under the *Health Professions Act*. A typical example of a title issue investigation is as follows. An individual writes a letter to the College requesting information on registration in B.C. The stationary used and /or the signature shows the name of the practitioner as follows, Sam Brown, M.A. (Psych.) This is a violation of the Psychologists Regulation under the *Health Professions Act*. The College sends a letter explaining that this is a violation and requests corrective action. In other instances, the violation is more serious, such as a nonregistrant placing an advertisement identifying him or herself as a psychologist. In such instances, the College sends a letter which appropriately conveys the seriousness of the matter and the consequences of a possible court proceeding if corrective action is not taken. The College initiated one such action during 2003. The matter was settled in early 2004 with a clear decision in favour of the College.

There are an increasing number of such matters which arise in the course of applications, especially with the extraordinary period of application where many of the applicants have been practicing in the field for many years.

These matters must be investigated according to the same principles of administrative law which govern complaint investigations. However, they are viewed as matters related to fitness to practice, rather than as complaints, given that they relate to applicants, not registrants. The Registration Committee has jurisdiction over these matters while the Inquiry Committee investigates complaints about registrants. There is some overlap when an investigation commences regarding a registrant who later resigns.

IV. ADMINISTRATIVE MATTERS

1. The College Office

The resource demands created by changes to the registration process necessitated an increase in staff, a step all the more necessary with the Registration Committee's decision to extend an extraordinary period of application for practitioners of psychology previously ineligible for registration with the College. We were pleased with changes to the renewal process which has been streamlined. We continue to do an increasing proportion of our printing and copying in-house in order to reduce printing costs.

2. The College Website

The website continues to grow in usefulness as a means of communicating with both applicants and registrants as well as with the public. Applicants and registrants are encouraged to check the website from time to time for updates and new postings. We have tracked a modest reduction in phone call inquiries from applicants since the website came into full use.

3. Ombudsman Investigations

Dialogue with the Ombudsman's office continued through 2003. One issue centred on the matter of confidentiality of complaint files. The Ombudsman's office has authority, under the Ombudsman's Act, to request any and all files of the College. In response to a request for multiple complaint files, we raised the issue of confidentiality of the files and the fact that the files contained not only the names of the respondent psychologists but also that of clients, collaterals, etc. There was much discussion on this topic, including their suggestion that we black out the names on the files, a process which would have taken approximately two weeks of staff time and which, in our view, would have rendered the files themselves incomprehensible. In the end the Ombudsman's office dropped their request for the files.

There were two matters investigated by the office of the Ombudsman in 2003 and both were closed without any findings. Another matter which was initiated in 2002 and which continued for much of 2003 was closed by the Ombudsman's office with no findings. The College is obliged to respond to these matters, which consumes

considerable time and resources. There is no statute of limitations on these investigations and at times, it is necessary to revisit files that have been closed for a considerable amount of time and long after the membership of the inquiry committee has changed.

4. Requests under the *Freedom of Information and Protection of Privacy Act*

Ten requests for information under the *Freedom of Information and Protection of Privacy Act* were received in 2003. The process of responding to such requests is very time consuming. Typically the College releases documents for which there are no confidentiality or privacy concerns to the applicant under the *Act*, and refuses disclosure on documents in which such concerns pertain. In doing so we are required to review each and every document on a line by line basis and cite sections of the *Act* to justify a decision to disclose or refuse disclosure. In most cases, the applicant then challenges the College on the decision and a period of negotiation ensues between the Registrar and the Freedom of Information officer assigned to the case. Most applicants are former complainants dissatisfied with the decision of the Inquiry Committee, who reviewed the complaint, and with the Board which heard the appeal. When a negotiated settlement is not possible, the matter may be taken by the applicant to "Inquiry". At this stage the matter becomes quite costly as we must make a formal submission explicitly outlining the College's position. This must be accomplished within the time frames established by the *Act*. The College's decisions in these matters are guided by a commitment to safeguard the confidential nature of negotiated settlements with registrants on complaint matters.

5. The *Health Professions Act* (HPA) and College Bylaws

Major efforts continued in terms of submissions to government with regard to a series of proposed amendments to the *Health Professions Act*. The College was pleased with the success of its submissions and their impact on government decision-making. Of particular note is the contribution that our submissions made to the differentiation of complaint allegations made by the complainant, and matters which may end up being the subject of an Inquiry Committee investigation. For example, a complainant may allege that a psychologist was biased in the conduct of an assessment. As the Inquiry Committee investigated this allegation, they became aware that the psychologist had been using an incorrect scoring protocol for a particular test. When the investigation is concluded is the complainant automatically entitled to know about the committee's additional concerns, or only entitled to know the outcome of the investigation of their specific allegations? Our submission suggested the latter, and this is reflected in the pending changes to the *Health Professions Act*. Another important contribution was our successful argument to ensure that letters of undertaking are not, by law, required to be on the public record. Further, documents such as undertakings, which successfully bring complaints to resolution, may not be used in other legal proceedings. For example, if a registrant apologizes to a complainant, this apology can not be used in civil litigation against the registrant.

In its submissions, the College made significant efforts directed at protecting information not related to public protection. The first draft of the proposed revisions to the *Act* included a provision whereby all undertakings would need to be published on the register of the College. Largely in response to our submission, this was amended. In addition, our submission with regard to the nature of the information to which the complainant is entitled at the end of a complaint investigation was also successful and the revised *Act* will clearly differentiate information to which the complainant is and is not entitled.

The new *Health Professions Amendment Act*, by which changes to the *Health Professions Act* are and will be enacted, is posted on the College website.

Acknowledgments

The volume and quality of the work described in this Annual Report for 2003 are a testament to the teamwork, dedication and calibre of the College staff. The Deputy Registrars, Colleen Wilkie, Rafael Richman and Cheryl Bradley are intelligent, compassionate and hardworking individuals who each bring a unique set of skills and experiences to their work. The work would be impossible without the enthusiastic, competent and thoughtful efforts of Judy Clausen, Registrar's Assistant, Lyn Hellyar, Registration Coordinator, and Maria Doyle, Inquiry Coordinator. The public and the registrants are both extremely well served by this dedicated team. Much of the work requires a tedious attention to detail, short turnaround times, and high stress given the nature of the investigations and issues at hand. This group of individuals share a positive attitude towards teamwork and a shared commitment to professionalism and integrity.

Our Office Assistant, Avigail Cohen is a key contributor to our ability to master an often overwhelming workload. Appreciation is also due to our part-time contract staff: our bookkeeper, Kalia Zalel, and our database clerk, Yaniv Kedar. Anthony Tobin continues to provide perceptive, intelligent and thoughtful advice and consultation to the decisions reported throughout this document.

On behalf of the staff, appreciation to the hardworking and thoughtful members of the College committees and the Board. My personal thanks to the supportive and ever-caring Henry Harder, Board Chair. Working with Henry over the past year has been a productive and enjoyable experience. The Board of the College is extremely supportive, constructive and visionary. It has been a pleasure to work with them over the past year.

Respectfully submitted,

Andrea Kowaz, Ph.D., R.Psych.
Registrar

Minutes of the May 15, 2003 Information Meeting

An Annual General Meeting was scheduled for May 15, 2003 at the Arbutus Club in Vancouver. The meeting was called to order by the Chair, Henry Harder, at 5:40 p.m., with 61 registrants in attendance. In the absence of a quorum, the Annual General Meeting was adjourned and the meeting was continued as an information meeting. The members of the Board were introduced. Regrets were extended from Michael Elterman, Michael Joschko and Rana Dhatt.

Agenda for the May 15, 2003 Meeting - It was moved by Richard Dopson and seconded by Rhona Steinberg that the agenda for the May 15, 2003 meeting be adopted as circulated. Carried.

Minutes of the November 29, 2002 Meeting - It was moved by Larry Waterman and seconded by Justin O'Mahony that the Minutes of the November 29, 2002 meeting be adopted as circulated. Carried.

Report from the Chair: Robert Colby, Chair of the Board for 2002, gave an overview of the work completed by the Board during 2002 in retooling the profession. He extended his thanks to members of the Board, staff and committees.

Report from the Registrar: Andrea Kowaz introduced members of the staff in attendance. Registrants were referred to her written report in the Annual Report for information about the working of the College during the year 2002.

Report from the Inquiry Committee: Larry Waterman and Barbara Passmore thanked the staff, College counsel and the committee for their work during the past year and reported on the activities of the Inquiry Committee. Questions from registrants included whether it was the intent of the College to become more transparent about the inquiry process and the method used to appoint committee members. The College will include information on the appointment of committee members in its next Chronicle.

Report from the Quality Assurance Committee: Emily Goetz introduced committee members present at the meeting. A review of the projects undertaken was discussed. Registrants responded to the recent mailout of the continuing competency program under development by the Quality Assurance Committee.

Report from the Registration Committee: Henry Harder thanked staff, College Counsel and committee members, and referred registrants to the annual report for details of the developments to the registration process. Registrants requested information on applications during the extraordinary registration period.

Report from the Finance Committee: Derek Swain referred registrants to the audited financial statements and the report of the Finance Committee contained in the Annual Report. He responded to questions from registrants.

The meeting adjourned at 7:16 p.m.

**COLLEGE OF PSYCHOLOGISTS
OF BRITISH COLUMBIA**

FINANCIAL STATEMENTS

DECEMBER 31, 2003

Auditors' Report
Statement of Financial Position
Statement of Changes in Net Assets
Statement of Operations
Statement of Cash Flows
Notes to Financial Statements

AUDITORS' REPORT

**To the Members of
College of Psychologists of British Columbia**

We have audited the statement of financial position of the College of Psychologists of British Columbia as at December 31, 2003 and the statements of changes in net assets, operations and cash flows for the year then ended. These financial statements are the responsibility of the College's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the College as at December 31, 2003 and the results of its operations and the changes in its net assets for the year then ended in accordance with Canadian generally accepted accounting principles applied on a basis consistent with that of the preceding year.

Chartered Accountants

**Vancouver, British Columbia
March 31, 2004**

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA
STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2003

	<u>2003</u>	<u>2002</u>
	\$	\$
ASSETS		
CURRENT ASSETS		
Cash	1,310,866	607,647
Prepaid expenses	<u>16,226</u>	<u>4,539</u>
	1,327,092	612,186
CAPITAL ASSETS (Note 2)	<u>64,748</u>	<u>79,991</u>
	<u>1,391,840</u>	<u>692,177</u>
LIABILITIES		
CURRENT LIABILITIES		
Accounts payable and accrued liabilities	121,099	98,330
Employee remittances payable	11,320	7,755
PST payable	-	47
Deferred revenue (Note 3)	<u>1,022,850</u>	<u>413,900</u>
	<u>1,155,269</u>	<u>520,032</u>
NET ASSETS		
CAPITAL ASSETS	64,748	79,991
UNRESTRICTED	<u>171,823</u>	<u>92,154</u>
	<u>236,571</u>	<u>172,145</u>
	<u>1,391,840</u>	<u>692,177</u>

Approved by the Board

“Signed” Henry Harder, Director

“Signed” Derek A. Swain, Director

The accompanying notes are an integral part of these financial statements.

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA
STATEMENT OF CHANGES IN NET ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2003

	Invested in Capital <u>Assets</u> <u>2003</u> \$	<u>Unrestricted</u> <u>2003</u> \$	<u>Total</u> <u>2003</u> \$	<u>Total</u> <u>2002</u> \$
NET ASSETS, beginning of year	79,991	92,154	172,145	149,580
Excess of Receipts over Expenditures	<u>(15,243)</u>	<u>79,669</u>	<u>64,426</u>	<u>22,565</u>
NET ASSETS, end of the year	<u>64,748</u>	<u>171,823</u>	<u>236,571</u>	<u>172,145</u>

The accompanying notes are an integral part of these financial statements.

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA
STATEMENT OF OPERATIONS
FOR THE YEAR ENDED DECEMBER 31, 2003

	<u>2003</u>	<u>2002</u>
	\$	\$
RECEIPTS		
Membership dues	1,060,092	1,056,324
Application and exam fees	124,175	51,450
Interest	20,980	15,687
Other	<u>5,307</u>	<u>6,008</u>
	<u>1,210,554</u>	<u>1,129,469</u>
 EXPENDITURES		
Administration	540,762	528,532
Audit	4,654	4,039
Board	85,207	68,620
Committees (meetings, travel and honorarium)	45,822	38,072
External relations (dues)	7,059	7,290
Discipline Committee Hearings	-	-
Extraordinary Hearings	6,859	33,260
Operations	137,141	124,975
Registrant / Applicant services	17,380	23,988
Statutory functions	<u>301,244</u>	<u>278,128</u>
	<u>1,146,128</u>	<u>1,106,904</u>
 EXCESS OF RECEIPTS OVER EXPENDITURES	 <u><u>64,426</u></u>	 <u><u>22,565</u></u>

The accompanying notes are an integral part of these financial statements.

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2003

	<u>2003</u>	<u>2002</u>
	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES		
Excess of receipts over expenditures	64,426	22,565
Adjustments for:		
Amortization	19,995	14,989
Accounts receivable	-	3,679
Prepaid expenses	(11,687)	5,230
Accounts payable	22,769	58,392
Employee remittances payable	3,565	(368)
PST payable	(47)	(183)
Deferred revenue	<u>608,950</u>	<u>356,425</u>
	<u>707,971</u>	<u>460,729</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of capital assets	<u>(4,752)</u>	<u>(65,306)</u>
NET INCREASE (DECREASE) IN CASH	703,219	395,423
CASH, beginning of year	<u>607,647</u>	<u>212,224</u>
CASH, end of year	<u><u>1,310,866</u></u>	<u><u>607,647</u></u>

The accompanying notes are an integral part of these financial statements.

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2003

1. SIGNIFICANT ACCOUNTING POLICIES

Capital assets

Purchased capital assets are recorded at cost. Contributed capital assets are recorded at fair value at the date of contribution. Amortization is provided on a declining balance basis at the following rates:

Office furniture and equipment	- 20% declining balance
Computer equipment and software	- 30% declining balance
Leasehold improvements	- 5 years straight line

In the year of acquisition, only one-half of the normal amortization is recorded.

Amortization expense is reported in the Capital Asset Fund.

Revenue and Expense recognition

Membership dues are recognized as income in the fiscal year due. Expenditures are recognized as incurred.

2. CAPITAL ASSETS

	2003		2002	
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
	\$	\$	\$	\$
Office furniture and equipment	80,528	53,970	26,558	31604
Computer equipment	76739	62,492	14,247	16303
Leasehold Improvements	<u>4070</u>	<u>16,763</u>	<u>23,943</u>	<u>32,084</u>
	<u>197,973</u>	<u>133,225</u>	<u>64,748</u>	<u>79,991</u>

3. DEFERRED REVENUE

Deferred revenue represents membership fees for the 2004 calendar year received in advance.