

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA

NAMING A PROFESSIONAL EXECUTOR

The requirement to name a professional executor has been in place since renewal 2010. With the enactment of the new bylaws on September 1, 2014, this requirement has been elevated to a bylaw requirement. This requirement is in place to ensure continuity of care for clients. This information will enable the College, in the event of your incapacity or death, to direct members of the public seeking your records to the appropriate registrant or institutional contact, and will facilitate access to and management of practice records. The requirement applies to all registrants who own (i.e. have primary control over) any practice records. Under this requirement, registrants are also obliged to provide contact information enabling access to records created by them but under the control of an institution (e.g., a health authority, a government ministry, a correctional centre, a university, etc.).

Each registrant is responsible for ensuring that the College is kept apprised of current information regarding his or her Professional Executor, and appropriate contact information for institutionally held practice records, as relevant. As example, if your Professional Executor changes, or you begin creating practice records for which you do not have control in a new institutional setting, you are responsible for updating this information with the College. Starting in 2015, you may submit this information online.

Responsibility for Records

Per the *Code of Conduct*, registrants are obligated to maintain practice records which document their professional work (Standards 13.6 and 13.7) and have a duty to provide client access to records (Standard 6.12). Registrants must maintain records for at least seven years (Standard 13.1), and in some cases longer (Standard 13.4).

Key Definitions:

Private Practice: Registrants are, or have been, in **private practice** insofar as they have ownership (or primary control over) of practice records. Ownership arises when a registrant has an enforceable right to retain possession of practice records. Registrants who have worked or are currently working in a **group practice** or **private business** must name a professional executor.

Institutional Practice: Registrants are, or have been, in **institutional practice** where they have no ownership of practice records, but they have, or have had, responsibility for practice records, including creating, maintaining, retaining, securing, or otherwise having care or control over practice records to any significant degree. For the purpose of this requirement, an institution is defined as a public entity and subject to FOIPPA legislation (e.g., a health authority, a government ministry, a correctional centre, school boards, etc.).

Administrative Practice: Registrants are in **neither private nor institutional practice** when they hold exclusively administrative institutional positions, or positions which otherwise lack any responsibility for practice records. While teaching and other activities do fall within the practice of psychology, the naming of a professional executor requirement addresses **client access to practice records**. This does not exempt clinical supervisors from their record keeping obligations.

Please carefully review each declaration below and select (check) one or more, as appropriate.

1. Private Practice (ownership of records)

A: I am or was in private practice in BC, and have ownership of records pertaining to my work in BC. I have named a professional executor who is a registrant of this College.

Name of Executor: CPBC Registration Number:

B: I was, but am no longer, in private practice in BC. I declare that I have followed the Code standards with regard to retention and destruction of records and no longer have ownership over any records pertaining to my work in BC. I request an exemption from the requirement to name a professional executor with respect to my work in British Columbia.

2. Institutional Practice (no ownership of records)

C: I have or was in an institutional practice in BC, and I have or had responsibility for records, but not ownership. I declare that I have informed my institutional contact of my obligations in this regard and have informed them that, in the event of my incapacity or death, they may be contacted in this regard.

*****Do NOT use abbreviations. Spell out the name of the institution, in full.*****

Name of Institution:

Address of Institution:

Name of Contact at Institution:

Contact's position: Contact's telephone number:

Name of Institution:

Address of Institution:

Name of Contact at Institution:

Contact's position: Contact's telephone number:

3. Other Practice (no ownership or responsibility for records) [if neither of the above apply]

D: I declare that I have no records over which I have responsibility or ownership, and therefore request an exemption from the requirement to name a professional executor with respect to my work in British Columbia.

Position:

Name of Employer or Institution



AFTER CHECKING AT LEAST ONE OF THE ABOVE BOXES PLEASE SIGN BELOW:

I give permission for the College of Psychologists of BC to contact my Professional Executor should the need arise in the context of the College carrying out its regulatory duties under the HPA.

SIGNATURE

DATE

PRINT NAME