



# *Saskatchewan College of Psychologists*

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## **Membership Advisory**

### **Diagnostic Privilege and the Profession of Social Work**

Concerns have recently been raised by the professional association in regard to the 2013 decision of Government to extend diagnostic privilege to the profession of Social Work. There is significant history behind this issue that the College believes is important to know in understanding the decision of Government.

Prior to the establishment of the College in 2002, diagnostic privilege was not a controlled act in the same way that it is today. Those working in exempted settings (designated by government) were entitled to establish and communicate mental health diagnoses if this was deemed to be within the scope of their competency and their employment responsibilities. Thus until the implementation of the Psychologists Act 1997 (Act) in 2002, qualified psychiatric nurses, social workers, psychologists, and psychiatrists working within exempted settings were entitled to diagnose mental health issues/disorders. When the College was established in 2002 the Transitional Council was asked, by both Government and Saskatchewan Association of Social Workers (SASW) to participate in discussions in regard to SASW's desire to re-establish the privilege for members of the profession it deemed qualified. SASW is the regulatory body for the profession of Social Work in Saskatchewan, and has a dual role also as the advocacy body for the profession. The College periodically participated in discussions with SASW and Government around the issue of social work and diagnostic practice/privilege between 2002 and until 2012. In 2012 the Government moved forward with the extension of the privilege to the profession of Social Work.

Over the years the various Executive Councils of the College acting on behalf of the membership as their elected representatives, and consistent with the College's mandate, advocated for the protection of the public interest in moving forward with this issue. It is important to emphasize that the Government has the authority to change legislation, and that they in essence "own" the legislation. The Government did not ask for the College's "permission" to extend the privilege. The Act did not require amendment to extend diagnostic privilege to Social Work. The Government indicated that in establishing Section 23 of the Act it had not intended that diagnostic privilege would be removed from Social Work entirely, rather just the right to diagnose complex psychiatric conditions.

Throughout the years of discussion, the College made efforts to keep its members apprised through various means including mail-outs, annual reports, and reports at AGMs. The College's involvement in formal discussions regarding this issue ended in 2012. In 2012 the legislation was presented in the legislature for first reading. In May 2013 the amendment to the Social Workers Act allowing for diagnostic privilege was proclaimed by Government after receiving third reading in the Legislature. The College understands that press releases were sent out by the Ministry of Social Services and that articles pertaining to this legislative amendment appeared in the two major papers in the province. The publication of the proclamation of the legislation was carried out by the Ministry of Social Services and SASW as it is their governing legislation.

The College's understanding is that this legislation is not open to retraction and that at this point in time the issues under consideration are the details of who will be granted the privilege and how will it be regulated. The College and other provincial health regulators were recently asked to comment on the SASW proposed bylaws and policies pertaining to diagnostic privilege. In that consultation, among other important issues, the College highlighted the importance of specialized coursework, training and supervised experience and examination in establishing diagnostic competence.

The College in its consultations with SASW and the Ministries of Health and Social Services, acknowledged the SASW's right as both the regulatory body and advocacy body for the profession, to request that diagnostic privilege be extended to qualified SASW members. As the regulator for Psychology, the College does not have authority over the practice or regulation of another health profession, nor does it view this as its role. The College has always taken the position that diagnostic practice is a highly skilled practice that requires specific training and qualification. The College has consistently advocated for high standards in regard to the training for, and the establishment of diagnostic competence as the potential for harm to the public is significant. It is important to emphasize that the profession of Social Work, like the profession of Psychology practices under a code of ethics that requires its members to practice only within their established areas of competency.