



# *Saskatchewan College of Psychologists*

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## **POLICY OP-1.9** **Professional Executor**

### ***Background:***

Sections 14.4 and 14.5 of the SCP Professional Practice Guidelines require members to “in advance” establish a contingency plan for clients and their records to ensure that clients and their information are protected in the event of a member’s death, incapacity, or withdrawal from their position or practice. In April 2011 the Ad Hoc Committee on Privacy made a recommendation to Executive Council regarding establishing a requirement for members to identify a Professional Executor, and recommending to the membership the establishment of a professional will.

Requiring a formal articulation of a Professional Executor is consistent with the regulatory responsibilities/obligations of the SCP, the ethical responsibilities/obligations of the profession, public expectation, and quality assurance efforts.

### ***Policy:***

Beginning with the 2012 license renewal period (December 1, 2011) members of the SCP who are practicing\*\* or who have previously practiced and have in their possession client information and /or files are required to identify for the SCP a Professional Executor for their practice who will be responsible to do the following in the event that the member is no longer able:

1. Ensure the security of the client records and information.
2. Can respond to requests for access to file information.
3. Assuring or facilitating continuing client care.

\*\* defined as any practice with and/or relating to clients from which one could reasonably expect that there would be a written/electronic record of that practice

On a yearly basis members are required to update the information at the annual renewal period. This information will allow the SCP to respond to inquiries with regard to access to file information. Members are not required to establish a Professional Will but are strongly encouraged to do so.

### ***Practice:***

1. Members must identify their own Professional Executor. A professional Executor must be a member of the profession unless the member is practicing within an institution or organization, in which case the professional executor may be an employer or an employer designate. Family members cannot serve as the Professional Executor.

2. Members must make their own arrangements with their Professional Executor to ensure compliance with the relevant legislation, Canadian Code of Ethics for Psychologists 3<sup>rd</sup> Edition, and the SCP Professional Practice Guidelines.
3. Members are responsible to ensure that they inform the SCP in writing of any changes to the Professional Executor if these occur prior to the license renewal period.
4. Members will be asked to identify their Professional Executor and their contact information on the yearly SCP renewal form.
5. Members, who do not comply with the requirement to identify a Professional Executor, will be sent a letter from the SCP outlining the policy and again requesting compliance. Subsequent refusal to comply may be referred to the PCC for follow-up.