

**Saskatchewan College of Psychologists
Regulatory Bylaws - 2016**

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TITLE AND INTERPRETATION

Title

1 These bylaws may be cited as *The Saskatchewan College of Psychologists Regulatory Bylaws, 2016*.

Interpretation

2 In these bylaws, “Act” means *The Psychologists Act, 1997*.

SPECIAL MEETINGS

Special meetings

3 For the purposes of clause 6(2)(b) of the Act, the council shall call a special meeting of the college on the written request of at least 15% of the practising members who are in good standing.

COMMITTEES

Registration Committee

4(1) The council shall establish a Registration Committee consisting of the registrar, as a non-voting member, and a minimum of four other persons appointed by the council, at least one of whom is a member of the public.

(2) The duties of the Registration Committee are:

- (a) to make recommendations to the council regarding registration and licensure of members;
- (b) to monitor and make recommendations to council regarding re-entry and refresher programs;
- (c) in accordance with the delegation made by the council pursuant to section 22 of the Act, to assess and determine applications for registration referred to the Registration Committee by the registrar;
- (d) to interview applicants as required;
- (e) to assess and determine applications for the Authorized Practice Endorsement;
- (f) to provide support and guidance to the registrar; and
- (g) to monitor members with provisional licences and members whose licences are subject to terms, conditions or restrictions to ensure that they practise only under the terms, conditions or restrictions attached to their licences.

Professional Conduct Committee

5(1) As soon as possible after a written complaint is received by or referred to the Professional Conduct Committee, the chairperson of the committee shall send a written notification to the member who is the subject of a complaint that a complaint has been received, together with a copy of the actual complaint.

(2) The chairperson of the committee shall send a written notification to the complainant advising that the complaint will be reviewed by the committee.

(3) In accordance with clause 28(1)(b) of the Act, the committee shall take all steps it considers necessary in investigating a complaint, including:

(a) where possible, with the consent of the complainant and member, an informal resolution of the matter by any means including mediation;

(b) where appropriate, asking the member for a written response to the complaint; and

(c) requesting any person to answer any questions and to produce any records, notes, photographs, film, books, papers, or any other documents or things in the person's possession or under his or her control that are or may be relevant to the report or conduct being investigated.

(4) Where the Professional Conduct Committee resolves a complaint by consent, the committee shall ensure that a copy of the agreement reached with the member, or a summary of it, in which no personal information is disclosed concerning any person other than the member with respect to whom the decision is made, is posted on the college's website.

(5) Where the Professional Conduct Committee dismisses a complaint, the committee shall ensure that a summary of the complaint and the reasons for its dismissal, in which no personal information is disclosed concerning any person, including the member with respect to whom the decision is made, is posted on the college's website.

Discipline Committee

6(1) For the purposes of sections 25 and 26 of the Act, the Discipline Committee may find a member guilty of professional incompetence and/or professional misconduct where the member:

(a) abused a client physically, sexually, verbally, or psychologically;

(b) wilfully endangered the safety of a client;

(c) influenced a client to change the client's last will and testament;

(d) wrongfully abandoned a client;

(e) misappropriated property belonging to a client, employer or fellow employee;

- (f) failed to exercise discretion with respect to the disclosure of confidential information about a client;
- (g) failed to maintain any client record;
- (h) falsified any client record;
- (i) failed to inform any employer or any client of the psychologist's inability to accept specific responsibility in areas where special training is required or where the psychologist does not feel competent to function without supervision;
- (j) failed to report the incompetence or misconduct of a member or colleague;
- (k) failed to comply with the Code of Ethics of the college;
- (l) failed to comply with established standards of practice;
- (m) failed without reasonable cause to respond to inquiries from the college regarding alleged professional misconduct or professional incompetence;
- (n) conspired to participate in any act of misconduct or counselled a participant in any act of misconduct; or
- (o) obtained registration by misrepresentation or fraud.

(2) Where the Discipline Committee determines that a member is guilty of professional incompetence or professional misconduct, the committee shall ensure that a copy of the decision, or a summary of it, in which no personal information is disclosed concerning any person other than the member with respect to whom the decision is made, is posted on the college's website.

CONFLICT OF INTEREST

Conflict of Interest

7(1) A conflict of interest may include, but is not limited to the following situations:

- (a) where the member is involved in negotiating wages or employment contracts, or completing performance appraisals for college staff who may be related to that member;
- (b) where the member is involved in determining or reviewing credentials and eligibility for registration or licensure of an applicant or another member who may be related to that member;
- (c) where the member is involved in the investigation or discipline process affecting another member who may be related to that member; and

(d) where the member or family member might personally or financially benefit from decisions or information gained from involvement on council or committees.

(2) Members serving in an official capacity as council members, committee members or representatives of the college and employees of the college shall declare a conflict of interest in matters under discussion, business of the college or in decisions taken in which they have a vested interest.

(3) It is the responsibility of the presiding officer to ensure that members or employees identifying a conflict of interest shall leave the meeting during considerations of the pertinent issue and the departure of the member shall be recorded in the minutes by the secretary of the meeting.

(4) Members who represent the college shall not assume a position if a conflict of interest is identified.

(5) A member of the Professional Conduct Committee or the Discipline Committee who has a conflict of interest shall step down, and the council may appoint a replacement to deal with the specific complaint with respect to which the conflict arose.

MEMBERSHIP

Categories of membership

8 Membership in the college consists of the following categories:

- (a) full practising membership;
- (b) provisional practising membership; and
- (c) non-practising membership.

General membership requirements

9 All applicants for membership in the college are required to:

- (a) complete the application forms approved by the council; and
- (b) submit a satisfactory criminal record check by the RCMP or local police service.

Full practising membership

10(1) Subject to subsection (2), an applicant for full practising membership who meets the requirements of section 20 of the Act is required to:

- (a) complete the Examination for Professional Practice in Psychology (EPPP) with a score of 70% or higher; and
- (b) provide evidence of, in the case of an applicant who holds:

(i) a master's degree described in clause 20(1)(a) of the Act, one year (1500 hours) of post-master's degree successful experience under the supervision of a psychologist approved by the College in a recognized setting; or

(ii) a doctoral degree described in clause 20(1)(a) of the Act, one year (1500 hours) of:

(A) successful experience in a Canadian Psychological Association or an American Psychological Association accredited pre-doctoral internship or residency; or

(B) successful post-doctoral experience under the supervision of a psychologist approved by the College in a recognized setting;

(c) at the first available opportunity, successfully complete an oral interview conducted by the Registration Committee at which the applicant provides evidence, as required by the council, of:

(i) training and experience in the areas of psychological practice in which he or she intends to practise; and

(ii) an understanding of contemporary ethical standards and professional regulation and jurisprudence in Saskatchewan;

(d) provide evidence of foundational knowledge in respect of:

(i) biological bases of behaviour

(ii) cognitive-affective bases of behaviour;

(iii) social bases of behaviour; and

(iv) psychology of the individual; and

(e) in the case of an applicant described in clause 20(2)(d) of the Act, provide evidence of registration and good standing in the other jurisdiction in which the applicant is registered.

(2) Clauses (1)(a) and (b), subclause (1)(c)(i) and clause (1)(d) do not apply to an applicant for full practising membership who meets the requirements of subsection 20(2) of the Act as a registrant of a Canadian jurisdiction.

(3) Full practising membership entitles a person to the following privileges:

(a) when holding a full practising licence, to practise as a psychologist in Saskatchewan;

(b) to vote and hold office in the college;

- (c) to have voice and vote at the annual and special meetings of the college;
 - (d) to be appointed to committees of the college;
 - (e) to receive financial assistance for purposes specified in the policies of the college;
 - (f) to receive a copy of college documents appropriate for distribution; and
 - (g) to receive the publications of the college.
- (4) For the purposes of subsection (1), “recognized setting” means:
- (a) a private practice setting approved by council; or
 - (b) an organization, institution or agency, or part thereof, with defined health service programs and a defined system of supervision, established to provide health and/or mental health care services, including services provided by a regional health authority, an affiliate as defined in *The Regional Health Services Act*, or a community clinic prescribed under *The Regional Health Services Act*, psychology services provided by school boards, colleges and universities, and any services that may be designated by the council.

Provisional practising membership

11(1) Subject to subsection (2), a provisional practising membership in the college is available to an applicant who meets the requirements of subsection 21(1) of the Act and who practises under a plan of supervision approved by the Registration Committee.

- (2) A provisional practising membership expires at the earliest of the following times:
- (a) subject to subsection (3), after the expiration of three years;
 - (b) if and when the member fails for a third time to complete the Examination for Professional Practice in Psychology (EPPP) with a score of 70% or higher;
 - (c) if and when the member fails for a third time to successfully complete the oral interview.
- (3) The period of provisional practising membership does not include:
- (a) any period of parental leave or a leave for medical reasons, which leave may be granted by the Registration Committee on application;
 - (b) any period of time between the date on which the member applies for the oral interview required for full practising membership and the date of the interview or, in the case of a member who does not successfully complete the interview, the date on which the unsuccessful result is confirmed by a review panel appointed by the Registration Committee.

(4) A person who fails to obtain full practising membership prior to the expiration of their provisional practising membership may re-apply on one occasion for provisional practising membership:

(a) five years or more after the expiration of their initial provisional practising membership; or

(b) where the person has obtained an additional higher degree described in clause 20(1)(a) of the Act or a post-doctoral fellowship, at any time.

(5) Provisional practising membership is intended to provide a person with the ability to be a member of the college while obtaining all necessary qualifications for full practising membership and entitles a person to the following privileges:

(a) to practise psychology subject to the restrictions imposed and for the period specified in a provisional licence;

(b) to have voice and vote at the annual and special meetings of the college;

(c) to receive financial assistance for purposes specified in the policies of the college;

(d) to receive a copy of college documents appropriate for distribution; and

(e) to receive the publications of the college.

(6) No provisional practising member may:

(a) supervise students, other provisional members, or members of other professions providing clinical services;

(b) engage in the practise of psychology independently or through a professional corporation of which the provisional practising member is the only shareholder.

Non-practising membership

12(1) Non-practising membership in the college is available to an applicant who:

(a) is eligible for registration as a full practising member in accordance with the Act and the bylaws and:

(i) was in good standing when last registered with the college; and

(ii) is not currently practising as a psychologist in Saskatchewan; or

(b) is a provisional member on a parental or medical leave approved in accordance with subsection 11(3)(a) that extends beyond the end of the licence year.

(2) Non-practising membership entitles a person to the following privileges:

- (a) to have a voice, but no vote at annual and special meetings of the college;
 - (b) to be appointed to committees of the college;
 - (c) to receive a copy of college documents appropriate for distribution; and
 - (d) to receive the publications of the college.
- (3) Non-practising members are required to renew their non-practising status annually.
- (4) Persons who are registered as non-practising members may not practise as psychologists or hold themselves out as being entitled to practise as psychologists.

AUTHORIZED PRACTICE

Authorized practice endorsement

13(1) A member who wishes to perform an authorized practice shall:

- (a) apply for an Authorized Practice Endorsement on his or her licence;
- (b) pay the prescribed application fee;
- (c) meet the following requirements:
 - (i) knowledge of:
 - (A) psychopathology or abnormal psychology;
 - (B) personality and individual differences;
 - (C) psychological assessment; and
 - (D) psychodiagnostics;
 - (ii) skill in:
 - (A) establishing therapeutic rapport;
 - (B) eliciting information through interviewing
 - (C) assessing fundamental psychological processes such as mental state, cognition, emotions and behaviours;
 - (D) formulating and testing diagnostic hypotheses;
 - (E) communicating diagnostic information clearly and sensitively; and
 - (F) assessment of change in relevant psychological processes; and
 - (iii) formal training that includes:
 - (A) coursework and supervised experience in administering and interpreting assessment materials for a diverse range of problems;

- (B) either coursework or supervised experience, or a combination of the two, in interviewing techniques;
- (C) training in formulating and testing diagnostic hypotheses in a practice setting;
- (D) supervised experience in communicating sensitive information; and
- (E) either coursework or supervised experience, or a combination of the two, in assessment of change in order to evaluate the effectiveness of interventions;

(d) submit a written evaluation from the member's supervisor of the member's competence and training in the area of diagnostics; and

(e) successfully complete an oral interview in relation to diagnostic competence.

(2) For the purposes of clause (1)(c):

(a) the knowledge component set out in paragraph (A) is understood to encompass knowledge of problems of learning, behaviour and mental ability;

(b) the knowledge component set out in paragraph (B) is understood to encompass knowledge of psychosocial and life-span development;

(c) the knowledge component set out in paragraph (D) is understood to encompass knowledge of psychoeducational diagnostic techniques and interventions.

(3) A member who does not successfully complete the oral interview on three successive occasions may not reapply for the Authorized Practice Endorsement for a period of three years after the confirmation of the third unsuccessful interview.

(4) For the purposes of subsection 23(4) of the Act, a person who is a provisional member or a member who is a pre- or post-doctoral resident or intern may perform an authorized practice under the direct supervision of a member who has obtained an Authorized Practice Endorsement.

LICENSURE

Annual licence required

14(1) Every practising member, other than one described in section 15, is required to obtain a licence to practise with respect to each calendar year, and shall submit:

(a) an application for a full practising licence or a provisional practising licence;

(b) proof, in the form of the member's declaration in the form provided by the college, that he or she has obtained at least 20 continuing education hours in the previous 12 months;

(c) the member's attestation of good character and fitness to practise; and

(d) any applicable licence fee, in accordance with the administrative bylaws of the college relating to fees, and any other amounts then owing to the college.

(2) A practising member who does not have sufficient continuing education hours to be licensed as required by clause (1)(b) may obtain a licence by submitting a plan for obtaining the missing continuing education hours as well as the ones that will be required in the coming year prior to the next licence renewal date, which plan must be approved by the Registrar.

(3) A non-practising member who wishes to re-establish full practising membership and obtain a licence to practice, or a member who is not licensed and wishes to be licensed, is required to comply with subsection (1) and in addition shall:

(a) obtain 20 continuing education hours with respect to each year that the member has held a non-practising membership or has not been licensed and submit a plan, which must be approved by the Registration Committee, for obtaining any missing continuing education hours upon return to full practising membership; and

(b) after five or more years of non-practising or unlicensed status, successfully complete one year (1500 hours) of supervised practice under a plan of supervision approved by the Registration Committee.

(4) A provisional member who maintained non-practising status or was not licensed while on an approved parental or medical leave described in clause 11(3)(a) and who wishes to be licensed at the end of that leave is required to comply with subsection (1), and, in addition, shall:

(a) obtain 20 continuing education hours with respect to each year that the member was on the approved leave and submit a plan, which must be approved by the Registration Committee, for obtaining any missing continuing education hours upon returning to provisional practice; and

(b) where two or more years have elapsed since the member was last licensed, successfully complete the number of hours of supervised practice determined by the Registration Committee in addition to those completed prior to the leave under a plan of supervision approved by the Registration Committee.

Temporary licence

15 A person who meets the requirements of subsection 20(2) of the Act as a registrant of a Canadian jurisdiction may obtain a temporary licence to practise in Saskatchewan for the period of time specified on the licence.

USE OF TITLES

Use of title

16(1) In order to ensure that members of the public are accurately informed, all members are required to use the appropriate professional title in accordance with this section.

- (2) A full practising member who has a licence to practise shall use the title “Registered Psychologist” or “R. Psych.” or, in the case of a member who possesses a doctoral degree recognized by the college, “Registered Doctoral Psychologist” or “R.D. Psych.”.
- (3) A provisional practising member who is licensed to practice shall use the title “Psychologist Provisional” or “Doctoral Psychologist Provisional”.
- (4) A non-practising member shall use the title “Psychologist Non-practising” or “Doctoral Psychologist Non-practising”.
- (5) A member who is not licensed and who is not non-practising shall not use any title.

CONTINUING EDUCATION

Continuing education required

17(1) Each member is required to obtain and record 20 continuing education hours in each calendar year, of which a minimum of 10 hours are direct participatory activities, such as workshops or courses, and a maximum of 10 hours are individual self-study.

- (2) Upon request, each member shall provide the college with documented evidence of the continuing education hours the member has claimed in the declaration provided to the college.
- (3) A member may apply to the Registration Committee for an exemption from or modification of the requirement to obtain continuing education hours for any reason that is, in the opinion of the committee, justifiable.

COUNCIL REVIEW OF DELEGATED DECISIONS

Review procedures

18(1) The provisions of this section apply to all applications to the council for review of decisions of the Registrar or the Registration Committee pursuant to subsection 22(4) of the Act.

- (2) A person who wishes to request a review by council of a delegated decision is required to file a notice of appeal on the form provided by the college within 30 days after being notified of the decision, identifying the specific decision in respect of which the review is requested and the reasons why the appellant believes the council should reverse the decision.
- (3) Any new information that was not made available to the Registrar or Registration Committee prior to making the decision in respect of which a review is requested must first be submitted to the Registrar or Registration Committee for review.
- (4) After reviewing any new information submitted, the Registrar or Registration Committee may either:

- (a) reverse its original decision, in which case the review by council will not be necessary and will not proceed; or
- (b) confirm its original decision, in which case the review by council will proceed.
- (5) Where a review proceeds, the college office shall contact the appellant, members of council and legal counsel for the college to arrange a date for the appellant to appear before the council as required by subsection 22(7) of the Act.
- (6) The appellant may choose to be represented by legal counsel or to have a support person present at the appellant's appearance before council, and shall notify the college office in advance of the names of any such persons who will be attending.
- (7) Prior to the appellant's appearance before council, the College office shall provide members of Council with no information except the appellant's name, the name of any support person who will be accompanying the appellant and, if the issue to which the review relates involves supervision, the name of the appellant's supervisor, so that members of the council who may have a conflict of interest will be able to declare it in advance.
- (8) All appearances before council are held at the college's offices.
- (9) A review by council of a delegated decision is a review of the facts of each case in the context of the Act, the bylaws and the policies of the college to ensure that the delegated decision was properly made, based on the information provided to the Registrar or the Registration Committee.
- (10) To assist the council in its review, the Registrar shall prepare a written report for council identifying the decision in respect of which the review was requested, summarizing the relevant facts and briefly explaining the rationale for the decision.
- (11) The Registrar shall make his or her report available to the appellant at least two days prior to the day scheduled for the appellant's appearance before council.
- (12) At the appellant's appearance before council, the Registrar's report will be provided to council members and the Registrar will provide a brief oral summary of it.
- (13) The Appellant, or legal counsel or other representative on the appellant's behalf, may provide a submission to the council, in writing or verbally or both, as to why the delegated decision should be reversed.
- (14) At the conclusion of the appellant's appearance before council, the council will deliberate in camera and its written decision with reasons will be provided to the appellant as soon as possible thereafter.
- (15) A quorum of council for the purposes of a review is at least half of the members of council.

ADVERTISING

Advertising

19(1) A member may make information about the member and the services he or she provides, available to any client, potential client or the public generally, subject to the following limitations:

1. The word “advertising” in relation to the profession of psychology must be taken in its broadest sense. It includes all those methods by which a member is made known to the public either by the member or by others without the member’s objection, in a manner that can be fairly regarded as having for its purpose the obtaining of clients or the promotion in other ways of the member’s professional advantage;
 2. An advertisement with respect to a member’s practice shall contain only relevant factual and verifiable information; and
 3. A member may participate in or donate services to charitable endeavours.
- (2) No member shall engage in advertising, promotion and other marketing activities that:
- (a) are inaccurate or capable of misleading the public either directly or indirectly;
 - (b) misrepresents facts;
 - (c) compares either directly, indirectly or by innuendo, the member’s services or ability with that of any other practitioner or promises or offers more effective services or better results than those available elsewhere;
 - (d) deprecates another member as to service, ability or fees;
 - (e) creates an unjustified expectation about the results the member can achieve;
 - (f) is made under any false or misleading guise, or takes advantage, either physically, emotionally or financially of any patient, or uses coercion, duress or harassment;
 - (g) is incompatible with the best interests of the public or members, or tends to harm the standing of the profession of psychologist generally; or
 - (h) contains any testimonial or discloses the names of clients.
- (3) A member may list on office letterhead and business cards:
- (a) only the highest academic qualification recognized by the council that the member holds;
 - (b) professional designations or certifications approved by the council;

(c) the member's name and that of the office, its address, telephone number, facsimile number, e-mail address, office hours and similar details; and

(d) services provided or designated area of practice.

(4) Psychologists, either practising alone or in partnership with other psychologists, may operate under a business name provided that.

(a) the business name chosen is in good taste; and

(b) each psychologist practising under the business name is listed in all advertisements.

CODE OF ETHICS

Compliance

20 Every member shall comply with the *Canadian Code of Ethics for Psychologists*, Third Edition, as adopted by the Canadian Psychological Association.

REPEAL AND COMING INTO FORCE

Repeal of former regulatory bylaws

21 All regulatory bylaws previously enacted are repealed and replaced by these bylaws.

Coming into force

22 Pursuant to subsection 14(4) of the Act, these bylaws come into force when they are approved by the Minister and published in the Gazette.

Certified to be a true copy of the Regulatory Bylaws enacted by the Council of the Saskatchewan College of Psychologists at its meeting held March 12, 2016.

CERTIFIED TRUE COPY:

Dr. Glenn Pancyr, President.

Saskatchewan College of Psychologists.

APPROVED BY:

Honourable Dustan Duncan,

Minister of Health.

Date: May 16, 2016