

February 27, 2010

Ms. Donna Hill
Executive Director
Manitoba Health Legislative Unit
300 Carlton Street, Room 1046
Winnipeg MB R3B 3M9

Dear Ms. Hill:

As requested, I am writing on behalf of the Psychological Association of Manitoba (P.A.M.) to respond to your letter of December 21, 2009.

First, however, I would like to thank both you and Ms. Wilgosh for meeting with Dr. Slusky and me on February 4th. We found the meeting to be very helpful in clarifying the direction that the Department of Health would like to take in removing exemptions in the regulation of Psychology as well as in clarifying some of the points made in Ms. Wilgosh's letter. We appreciated your time and your sincere attention to the information we provided. We hope that we, too, were able to be helpful by clarifying our longstanding role as regulators in Manitoba and lengthy history of attempting to create more progressive regulations, and reporting on the very successful ways in which those practicing psychology across all places of employment have been brought under registration regulations across North America.

As we indicated at our meeting, P.A.M. is extremely supportive of the creation of regulations that encompass psychological practitioners across all practice settings and we are very pleased that your department has decided to mandate the removal of exemptions. The task of protection of the public by a regulator cannot adequately be performed when numbers of practitioners are not governed by regulation and when the public does not have recourse to a Complaints/Inquiry process. We also are pleased to hear that the Manitoba Association of School Psychologists, a voluntary advocacy and education association of a number of school psychologists (including some who already have been registered under the current Psychologist Registration Act), has expressed an interest in being regulated under the RHPA.

For well over 30 years, we as regulators have been attempting, as had been requested under previous governments, to create a new Act that is inclusive and that allows us to function in accordance with contemporary regulatory practice. It has created some hardship for our approximately 320 regulated members to be governed by a highly antiquated Act, and we have been extremely disappointed that our past efforts were met with roadblocks and had to be abandoned, despite our sincere and time-consuming efforts, and our having made a number of concessions. Despite these hardships, as regulators, we must remain committed to the creation of new regulations that are congruent with current practice standards, protect the public by ensuring excellence in training and practice, and are inclusive.

Given our role as regulators (essentially as the current “College”), we meet several times a year with regulators representing other Canadian provinces. As well, we routinely attend meetings of North American regulators of Psychology. We are conversant with the legislation of other provinces as well as with the broadly accepted entry-to-practice standards across Canada and North America. We also are knowledgeable about recent initiatives in some provinces to update entry-to-practice standards in accordance with the generally accepted standards of registration across North America. We have at hand excellent models of Acts that do not allow exemptions, as well as examples of the ways in which school psychologists, in particular, successfully have been incorporated into regulatory Acts. These changes have been accomplished in progressive provinces (Ontario and British Columbia) who, like Manitoba, have adopted Regulated Health Professions Acts. We also have models for the ways in which Colleges of Psychologists are structured to have meaningful representation from the various categories of registrants as well as from the public, and it has always been our intent to follow similar representative models. As such, we can assure you that the incorporation into the Act regulating Psychology of those providing psychological services in settings such as schools, hospitals, and government is very “do-able,” and we would be pleased to work toward that end.

As you know, P.A.M. participated actively in the many meetings of regulators brought together to create the RHPA. We then formally requested that we be included in the first group of professions to be brought under the RHPA and were granted that opportunity. Accordingly, members of our association, along with our legal counsel, have been working diligently to begin writing our profession-specific regulations and have made considerable progress to date. These regulations have been written in accordance with the consensus among the large majority of psychological service providers in Manitoba with respect to title, scope of practice and requirements for independent practice. As with all Psychologists, at every level of registration, practitioners are expected to practice within their declared area(s) of competence, as demonstrated by education, supervised experience, and oral and written examinations.

Even prior to the initiative of the RHPA, P.A.M. had requested bylaw changes that allowed for independent practice by individuals with Masters degrees in Psychology. As such, both Masters-

and Doctoral-prepared practitioners are eligible to register for independent practice in Manitoba under current regulations. Given the Department of Education certification criteria for school clinicians in psychology, it is our impression that all current school psychologists should be able to meet criteria for independent practice at the Masters or Doctoral level, depending on their education. In fact, under our current regulations (and we anticipate the same will hold true for the new set of regulations) all currently practicing school psychologists are eligible for entry to one of our registration categories. Scope of practice, again, is to be guided by ethical practice within a demonstrated area of competence. We would have been very pleased to meet with members of MASP to explain how they could become registered and to welcome them into our regulatory body but, unfortunately, we have never been given access to the MASP membership and, as such, were not able to invite them to any of our Town Hall meetings, where the changes in regulations were discussed, or contact them individually. We do hope that we will be able to directly address the MASP membership during the upcoming process of creating more inclusive regulations, so as to respond personally to their input, questions, and concerns.

The removal of exemptions and, therefore, the requirement that all those offering psychological services in Manitoba be regulated, will have an impact on a number of persons now practicing in exempt settings as well as on employers. As we indicated at our meeting with you, we view our role as regulator to involve appropriate and timely consultation with representatives from all exempt settings to guide us in the creation of inclusive regulations. Most certainly, we understand that representatives from the Manitoba Association of School Psychologists have a particular interest in this issue and a number of concerns. Therefore, as we promised at our meeting, we will ensure that they be fully consulted in this process, will be included in discussions with other exempt groups, and will be informed of our progress in drafting regulations. As we also indicated to you, we do not consider it to be an appropriate or representative process for any one advocacy group to be singled out for consultation or to be asked to create regulations with the regulatory body. As well, we do not believe that advocacy groups should be given primacy over employers in currently exempt settings, who will be affected by changes in regulation and who, doubtless, will wish to be included in consultations with respect to the specifics of these changes.

In keeping, then, with a fair and inclusive process of consulting with stakeholders from all exempt institutions, we propose that, in short order, we will invite employer representatives from government, universities, school divisions, and hospitals to meet with us to create an appropriate process for consultation as well as a formal means to keep them informed at all steps of this process. We very much hope and anticipate that representatives from MASP also will participate in this process, as well as will leaders from the School Psychology training program at the University of Manitoba, who are preparing students for credentialing by the Manitoba Department of Education as well as for certification under current Regulations.

Following this structured process of consultation with stakeholders, we are confident that, by your deadline of November 30, 2010, we will be able to propose inclusive regulations for the profession of Psychology that are in keeping with generally accepted standards for entry to practice and public protection in Canada and across North America today. We fully intend to ensure that these regulations will have no impact on the employability of currently practicing Psychologists, in any setting, but will only serve to enhance their accountability and, in this way, to further protect the citizens of Manitoba.

Again, thank you for your time and for the opportunity to undertake a long-needed change to the regulation of Psychology in Manitoba. We look forward to this undertaking and assure you of our cooperation in creating regulations for practitioners across all settings.

Yours sincerely,

Teresa Sztaba, Ph.D., C.Psych.
President
Psychological Association of Manitoba

cc: Ms. Arlene Wilgosh, Deputy Minister of Health

Ms. D. Hanson, President, MASP

Dr. R. McIlwraith, C. Psych., Dept. Head, Clinical Health Psychology, WRHA

Dr. T. Mondor, Head, Dept. of Psychology, University of Manitoba

H. Bradbury, Head, Dept. of Psychology, University of Winnipeg

Ms. Nancy Allan, Minister, Dept. of Education

Dr. J. LaForce, President, Manitoba Psychological Society