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MANITOBA PSYCHOLOGIST

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P.A.M. is legally constituted by the Psychologists Act (R.S.M. 1987) as the regulatory body for the practice of all branches of psychology in Manitoba.

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Manitoba Psychologist is published twice each year, by the Psychological Association of Manitoba (ISSN0711-1533) and is the official publication of the Association. Its primary purpose is to assist P.A.M. in fulfilling its legal responsibilities concerning the protection of the public and regulation of psychology in Manitoba. It also seeks to foster communication within the psychological community and between psychologists and the larger community. Feedback and story suggestions are welcomed! Contact the Editor: Dr. Donna Chubaty, Ph.D., C.Psych. dchubaty@mail.com



Announcements

PAM Annual General Meeting & Panel Discussion

Deciding if and when to report a client's criminal behaviour

Thursday April 25, 2019

Best Western Airport Plus Hotel, 1715 Wellington Ave

Schedule:

5:00 – 6:00 reception

6:00 – 7:00 Business Meeting

7:00 – 9:00 Dinner (complimentary) & Panel:



Presenters:

1. Ms. Laura Friesen, Manager of Investigations/Risk Assessment Child and Family Services
2. Dr. Daniel Rothman, C. Psych.
3. Mr. Martin Minuk, LL.B.

RSVP: by **April 18, 2019** including dietary requests to pamagm2019@shaw.ca

Service Appreciation:

On behalf of the P.A.M. council, staff, the Registration & Membership and Continuing Education Committees we would like to extend a very big thank you to the following outgoing council and committee members.

Dr. Jane Bow, C.Psych for her outstanding thirteen-year (!) tenure as chair of the continuing education committee.

Dr. Donna Chubaty, C.Psych for her diligent volunteer commitment and energy as registration and membership committee chair and member at large on PAM Council for the past six years.

Dr. Jennifer Laforce, C.Psych for her keen attention to detail and fiscal commitment as PAM Treasurer for the past eight years.



Registrar's Column



Registrar

1. Chief administrative official responsible for maintaining legal registers of, and appropriate information, about P.A.M. Members
2. Person responsible for providing information as required by the Provincial Minister
3. First point of contact for members of the public seeking information about psychology in Manitoba, or who are concerned about the actions of a P.A.M. member

Contact:
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Greetings

to you all on behalf of PAM Council. I am hoping that you will find this newsletter informative and look forward to seeing many of you at our upcoming April 25, 2019 Annual General Meeting.

The past year has seen activity on a number of fronts for PAM and its council. PAM Council continues its efforts to bring psychology under regulation of the RHPA. As has been communicated to you in the past the Manitoba government has continued to indicate that psychology is being looked to as one of the very next professions to come under this omnibus act. Unfortunately outside pressures moved the Manitoba Paramedics up in the queue and we have been told that we are therefore next to be considered after this group. There has been some movement on the development of regulations for other professions, with the past year seeing the nurses and physicians complete preparation of their regulations and bylaws for inclusion under the RHPA. As such while progress on this project has been slow, we are optimistic that our efforts in preparing for this transition will bear fruit in the near future. We are in the process of completing final revisions to our regulations and bylaws and these documents will, in short order, be submitted to the general membership as well as other stakeholders for comments and feedback.

The past year has also seen the generation of practice advisories both on medical assistance in dying (MAiD) as well as releasing reports to 3rd parties. These advisories continue to be developed in response to frequent questions posed to myself and other Council members and we hope that you find these guidelines helpful in your daily practice. These resources continue to be placed on our website under the practice resources link in the Members of the Association section. As always we invite your questions, comments, and feedback on these resources.

continued

Registrar's Column

I am also pleased to report that PAM has entered into an agreement with the College of Podiatrists of Manitoba (COPOM) to sub-lease them a small portion of the PAM office space (on a few days per month basis). Not only will this arrangement serve to offset a portion of PAM's rent costs, it is consistent with other space sharing arrangements between Manitoba's health regulators, thus enhancing our inter-regulatory relationships. In the course of carrying out this agreement with COPOM, PAM Council was careful to ensure the security and integrity of our existing storage space, computer systems, records, and archives. This arrangement will have no impact on the regular operation of the PAM office. We welcome our COPOM regulator colleagues and look forward to our relationship with them.

PAM's upcoming AGM will be held on April 25, 2019, at the Best Western Airport Hotel on Sargent Avenue in Winnipeg. This is the same venue that we have been using for the past many years, and we are pleased to announce that the after dinner speakers this year will include a panel of individuals who will be speaking on when and how to report clients' criminal behaviors. This topic has grown out of an awareness of issues faced by a number of our registrants in their day-to-day work and we are hopeful that the unique perspectives brought to this issue by our panel members will be informative and generate discussion. We are looking forward to presentations from Ms. Laura Friesen, Manager of Investigations and Risk Assessment at child and family services, Dr. Daniel Rothman (forensic psychologist), and Mr. Martin Minuk (lawyer). As always the meal for the AGM is free to registrants, however, your RSVP is required **prior to April 18** in order to ensure adequate space in the meeting room. Please forward your RSVP to pamgam2019@shaw.ca.

Finally, we are in the middle of our registration renewals, and responses have been brisk. We appreciate your attention to the registration deadline and remind you that registrations received after April 30, 2019 will incur a \$300 late fee. As such we encourage you to complete the registration renewal process in a timely fashion.

Thank you for your attention to this column and we hope that the information in the remainder of this newsletter proves informative. As always please feel free to contact me or any members of your PAM Council with any questions or concerns you may have.

Sincerely,

Alan Slusky, Ph.D., C. Psych.
Registrar

Privacy Breach Resources

Manitoba Ombudsman has developed new online resources for public bodies and trustees to assist in responding to privacy breaches. These resources are located on our Access and Privacy Division webpage <https://www.ombudsman.mb.ca/info/privacy-breaches.html>.

What is a privacy breach?

A privacy breach occurs when there is unauthorized collection, use, disclosure or disposal of personal or personal health information. Such activity is “unauthorized” if it is not permitted by the Freedom of Information and Protection of Privacy Act (FIPPA) or the Personal Health Information Act (PHIA).

Privacy breaches can occur in various ways including when personal or personal health information about clients, patients, students or employees is stolen, lost or mistakenly disclosed. Examples include the loss or theft of mobile devices (ex: laptops, USB sticks) or misdirected communication (ex: fax, email, mail).

A privacy breach does not discriminate; it can happen to an organization of any size, it can affect one person or many and it can have significant consequences for the individuals affected, including identity theft, physical or mental harm, a damaged reputation, embarrassment, and loss of employment.

Responding to a Privacy Breach

Our practice note Key Steps in Responding to Privacy Breaches under FIPPA and PHIA is intended to assist public bodies and trustees in managing a privacy breach. It provides guidance on the four key steps in responding to a breach:

Step 1: Contain the Breach: Take immediate common sense steps to limit the breach.

Step 2: Evaluate the Risks Associated with the Breach: Assess the risks associated with the breach to determine what other steps are necessary and the urgency of action.

Step 3: Notify Affected Individuals and Others: Consider whether to notify the individuals affected by the breach and others and whether to report the breach to Manitoba Ombudsman.

Step 4: Prevent Further Breaches: After evaluating the cause of the breach, develop or improve safeguards to prevent future breaches.

Our practice note Privacy Breach Notification Letter Checklist provides guidance on notifying affected individuals.

Reporting a Privacy Breach to Manitoba Ombudsman

FIPPA and PHIA do not require public bodies and trustees to report privacy breaches to our office. We encourage the voluntary reporting of breaches where there may be risk of harm to affected individuals (for example, physical harm, identity theft or harm to reputation).

For public bodies and trustees who wish to report a breach to our office, please use the Privacy Breach Reporting Form: the form can be submitted online, or filled out and submitted by fax or email (download the fillable pdf form).

Personal Health Information Course

As a follow-up to the information regarding privacy breaches, PAM is including information regarding a free, online training module regarding the Personal Health Information Act (PHIA) provided by Manitoba Health, Healthy Living and Seniors.

The course takes approximately five hours to complete and may be completed over several sessions. A certification will be provided upon successful completion.

*** PAM has approved one CE hour for the PHIA Online Training Course**

Welcome to the Manitoba Health, Healthy Living and Seniors Online Training Program for The Personal Health Information Act (PHIA). This program is provided free of charge as a tool for health information Trustees to utilize to ensure that they and their employees, students, volunteers, non-paid staff, and individuals providing professional services to the Trustee under contract, are properly trained so that they all fully understand and can comply with their obligations under PHIA and the Personal Health Information Regulation.

There are two ways to register for this program:

As a Trustee organization: Trustee organizations can create their own account through which they can add any employees or agents that require training and indicate which program version each would be required to complete. The program system then sends out the appropriate access codes to those individuals which are active for one year. The Trustee organization is notified upon successful completion of the program by an employee/agent, and as well is sent a reminder when retraining is required. Organizations can access the program system at any time to track which of their employees are certified, resend access codes and to add new employees/agents that require training.

As an individual: Individuals can register and complete the training program without being affiliated with any Trustee organization. Once registered, the individual would receive an access code for the program version they choose from the program system by email, which is valid for one year. Upon completion of any version of the program, the individual receives a verifiable program version certificate of completion by email. This certificate has a validity of 3 years. Individuals can apply to join a registered Trustee organization at any time, and will receive a reminder from the program system when their certificate is due to expire so that they can take the refresher course.

Click here for registration information:

<https://trainingtodo.com/mbhealth/secure/index.asp>

From the PAM Archives 1991



Premier Gary Filmon signs proclamation for Professional Psychology Week, April 15 - 19, recognizing 25 years of organized professional psychology in Manitoba. Looking on are Dr. James Newton, President of the Psychological Association of Manitoba (PAM); Dr. Jay Brolund, Vice-President; and Dr. Jane Bow, President, Manitoba Psychological Society (MPS).

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Dr. Jay Brolund, 477-1860
Dr. James Newton, 477-6391

For Immediate Release

Winnipeg, MB, April 11, 1991 -- Premier Gary Filmon recognized 25 years of professional psychology in Manitoba by proclaiming April 15 - 19 Professional Psychology Week.

The week highlights the contributions psychologists have made in the fields of mental health research, education and treatment.

Psychology and psychologists play a major role in advancing the study of human nature and in helping people in a variety of areas including family relationships, substance abuse, child development, employment, learning, stress management and mental illness.

In Manitoba, the psychological profession is regulated by the Psychological Association of Manitoba (PAM) and is further promoted by the Manitoba Psychological Society (MPS).

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Modernizing Oversight of Professions

by Julie Maciura March 2018 - No. 224

A branch of McMaster University just posted a major research study on modernizing the oversight of the health professions in Ontario. Funded by the Ontario government, the study has three major components: an Evidence Brief of academic research; three Citizen Panels that discussed the issues with a representative cross-section of Ontarians; and a Stakeholder Dialogue. Each has a separate report.

Rather than make actual recommendations, the McMaster Forum proffered themes that emerged from the project. The McMaster Forum defined the problem as the current oversight regime not keeping up with societal needs, particularly in the following areas:

- the oversight mechanisms in place have not kept pace with the changing health system ... including: 1) changing public expectations; 2) growing concern among citizens about the system's ability to deliver high-quality, patient-centred care; and 3) changing care-delivery models (e.g., interprofessional team-based care).
- the current oversight framework is focused on regulating individual categories of health workers, rather than groupings of them, and captures many but not all health workers The 26 professional regulatory colleges that currently operate in Ontario are largely independent of one another. This mostly uncoordinated and siloed approach means that
- each of the professional regulatory colleges is allocating resources to the same functions of professional registration, quality assurance, education, investigations and discipline. This is in contrast to other jurisdictions (e.g., the U.K., Australia, Ireland and New Zealand), which have chosen to group professionals based on their risk of harm, functional area, or geographic area, into a smaller number of oversight bodies.
- the oversight framework has a different focus than the framework used in the education and training of health workers [Regulators] continue to have to work within an oversight framework that stops a health professional from embracing a broader scope of practice or engaging in a controlled act even if they can demonstrate that they have developed an appropriate level of competency.

continued

3. Employ a performance measurement and management system for the health workforce and its oversight bodies

While some of this discussion was about performance measures for practitioners, much was also said about their application to regulators. The beginning point was the need to commit to developing performance measure indicators. Both citizens and policymakers (i.e., government) should be involved in developing the things that would be measured. Developing an oversight body to implement this initiative and hold regulators accountable for the results was frequently mentioned.

It was interesting to see the differences in feedback from the citizen panels and the stakeholder consultation. Citizen panels emphasized certain concerns such as:

- the need for “soft skills” like communication and empathy as being an important part of any competencies profile;
- the problems faced by clients when being transferred from one practitioner or institution to another; and
- the difficulty in accessing information about individual regulators and individual practitioners (e.g., the absence of a central data base was puzzling).
- the need for “soft skills” like communication and empathy as being an important part of any competencies profile;
- the problems faced by clients when being transferred from one practitioner or institution to another; and
- the difficulty in accessing information about individual regulators and individual practitioners (e.g., the absence of a central data base was puzzling).

The stakeholder consultation identified distractions that made it more difficult to focus on competencies and risk, including some media reports and the political reaction to them. Stakeholders also identified more challenges to implementing change (for example, seeing the provincial election as a barrier to action rather than an opportunity for change).

A number of interesting ideas were buried throughout the reports apart from the major themes discussed above, including:

- A centralized data base of all practitioners.
- Involving citizens in the identification of relevant core competencies.
- Utilizing an independent oversight body like the Professional Standards Authority in the UK.
- Separating registration functions from complaints and discipline and considering centralizing some of those regulatory activities.
- Combining professions so as to promote consistent standards and interprofessional collaboration amongst practitioners.

continued

Some issues mentioned in the reports received less attention than their significance may have warranted. For example, the length of the list of overlapping entities involved in the oversight of practitioners and the services to clients was astonishing. However, there was little discussion about how to reduce that duplication of functions.

The reports are somewhat difficult to read because of the academic language used throughout, however, they are an important addition to the discussion of the modernization of the regulation of professions in Canada.

The reports can be found at: <https://www.mcmasterforum.org/find-evidence/products/project/modernizing-the-oversight-of-the-ontario-health-workforce>.

[Disclosure: a member of our firm was on the steering committee for this project and participated in the stakeholder consultation.]

FOR MORE INFORMATION

This newsletter is published by Steinecke Maciura LeBlanc, a law firm practising in the field of professional regulation. If you are not receiving a copy and would like one, please contact: Richard Steinecke, Steinecke Maciura LeBlanc, 401 Bay Street, Suite 2308, P.O. Box 23, Toronto, ON M5H 2Y4, Tel: 416-626-6897 Fax: 416-593-7867,

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Diane Hiebert-Murphy, Ph.D., C. Psych. (Chair), John Arnett, Ph.D., C.Psych. (ex-officio), Alan Slusky, Ph.D., C.Psych.

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