



**Nova Scotia  
Board of Examiners  
in Psychology**

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March 5, 2018

Law Amendments Committee  
Office of the Legislative Counsel  
CIBC Building  
802-1809 Barrington Street  
PO Box 1116  
Halifax NS B3J 2X1

Dear Committee Members:

**RE: Bill No. 65 Amendments to the Psychologists Act**

I am very pleased to talk to you about the proposed amendments to the Psychologists Act. There are close to 600 psychologists in the province providing healthcare to Nova Scotians in various settings such as hospitals, schools, military, private practice, forensic environments, university, and other venues. The amendments will strengthen the public protection mandate of the Nova Scotia Board of Examiners in Psychology, bringing the regulation of the practice of psychology in line with other self-regulated health care professions.

As you know, the amendments involve the following:

- Introduction of a "purpose" or "objects" section of the Act
- Changes in that professional Board members would no longer be appointed but elected by registrants
- Recognizing in legislation the requirement of psychologists to possess the necessary competence, capacity, and character to safely and ethically practice psychology
- Creation of a Registration Appeals Committee

The first amendment will outline the clear mandate for the Nova Scotia Board of Examiners in Psychology. The current legislation does not contain this information, and it should. Like other self-regulated health professions, with this amendment, the Act will reflect that the primary focus of self-regulation is on the protection of the public.

Second are changes to the manner in which board members are appointed and the length of their terms. Psychologists registered with the board will have an opportunity to elect five of the eight members of

the Board of Examiners. There are three other Board members, and they are to be appointed by Governor in Council.

Also, the term of appointments will be changed from three years to two, although directors can still serve to a maximum of six consecutive years. This will allow the board to recruit members willing to volunteer their time for a shorter term as well as those open to longer-term commitments.

Nominations for those eligible for the election process would be considered with following criteria in mind:

***The overriding goal of the elections process is to have qualified psychologists serve on the Board. Nominations for election should be made within the context that Board membership requires mature professional judgement, exemplary ethical conduct, broad understanding of the practice of psychology, significant professional experience, and commitment to the regulation of psychologists for the protection of the public. Furthermore, nominations should be cognizant of the need for diversity in areas including: educational level (i.e., inclusion of both doctoral and master's level psychologists), type of workplace (e.g., inclusion of both academic and clinical/applied psychologists, private and public sector), gender, geography, nature of practice, and cultural and ethnic background.***

We understand from debate during second reading of the Bill that it was pointed out that rural Nova Scotia needs to have representation on the Board. The Board will be continuing to support a member who represents rural Nova Scotia by reimbursing their travel, accommodations and per diem expenses. The Board would attend to the criterion on "geography" above and be mindful of the need to have a member on the Board who can represent rural Nova Scotia.

Third as is the case with most of regulated health professions, it is important for the Act to recognize the requirement of psychologists to possess the necessary competence, capacity, and character to safely and ethically practice the profession. We understand from various stakeholders that there is concern with language related to the concept of good character. However, the questions related to character, competence and capacity are not new to registrants. The Board intends to use the same questions that it currently gathers as part of its registration and registration renewal process. The questions are included with this letter to clarify the questions that will be addressed through the process.

Currently, the Board of Examiners in Psychology can place a condition on a licence in cases where there are concerns identified regarding competence, capacity, and character, but the board cannot deny a licence based on these same criteria, though this is a standard practice in virtually all other self-regulated health professions. This is an important part of the Board's mandate in protecting the public.

Moreover, the Board's intentions for good character will continue to reflect the approach of the Canadian Code of Ethics for Psychologists. The Code states the following:

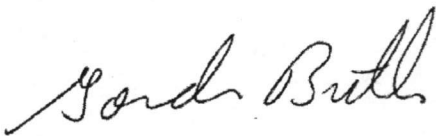
***This Code is intended to guide and regulate only those activities a psychologist engages in by virtue of being a psychologist. There is no intention to guide or regulate a psychologist's activities outside of this context, although an individual psychologist might make a personal decision to be guided by the Code's principles and values outside of this context. Personal behaviour becomes a concern of the***

*discipline only if it is of such a nature that it undermines public trust in the discipline as a whole or if it raises questions about the psychologist's ability to carry out appropriately his/her responsibilities as a psychologist.*

Finally, the provision for competence, capacity, and character will be delineated into the regulations, which will also be circulated at a later date for consultation, if the amendments to the Act are passed.

The final amendment formalizes into legislation a specific Registration Appeals Committee to address registration denials, to support transparent objectives and impartial and procedurally fair registration reviews.

Sincerely yours,

A handwritten signature in cursive script, reading "Gordon Butler". The signature is written in dark ink and is positioned above the printed name and title.

Gordon Butler, Ph.D.  
Registrar

Attachment: Application & Registration Renewal Questionnaire

**EXISTING QUESTIONS FROM THE REGISTRATION AND RE-REGISTRATION  
PROCESS REGARDING GENERAL COMPETENCE, CAPACITY AND CHARACTER**

**Please answer the following questions by circling either Yes or No**

In the last 3 years, have you:

1. Had an application for registration, certification or licensing as a psychologist or in another profession rejected?

Yes    No

2. Been found in violation of ethical principles by an ethics or professional practices board in relation to psychology or another profession?

Yes    No

3. Voluntarily surrendered a professional credential in response to an ethics charge in relation to psychology or another profession?

Yes    No

4. Received disciplinary action from an ethics or professional practice board in relation to psychology or another profession?

Yes    No

5. Been notified of any pending disciplinary action from an ethics or professional practice board in relation to psychology or another profession?

Yes    No

6. Had a professional credential revoked, suspended or limited by an ethics or professional practices board in relation to psychology or another profession?

Yes    No

7. Been convicted of, or pleaded guilty to a summary conviction offense or an indictable offense, other than a minor traffic offense, in a federal or provincial court?

Yes    No

8. Received formal disciplinary action by an employer or supervisor based wholly or in part on ethical issues?

Yes    No

9. Held or do you currently hold registration or a license in another profession other than psychology?

Yes    No

10. If yes to above,

What profession? \_\_\_\_\_

What is the current status of said registration? \_\_\_\_\_

11. During the 2017 year, did you adhere to the Board's Continuing Competence requirements?

Yes    No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Name: \_\_\_\_\_