



Credit: Lesley Phimister

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ANNOUNCEMENTS

Committee Appointments:

Examination Committee:

Dr. Maxine Holmqvist, Ph.D., C.Psych. (Chair)

Registration and Membership Committee:

Dr. Anne-Marie Brown-DeGagne, Ph.D., C. Psych. (Member)

Complaint Committee:

Dr. Lesley Ritchie, Ph.D., C. Psych. (Member)

Ms. Monika Allen, M.A., PA (IP) (Member)



Appreciation of Service

At the P.A.M. April 26, 2018 AGM, Dr. John Arnett, C.Psych., and Dr. Alan Slusky, C. Psych., accepted a plaque on behalf of Dr. Daryl Gill, C.Psych, for his outstanding volunteer commitment and leadership as complaint committee chair from 2015-2018.

P.A.M. 2017 Annual Report

**Report to the Annual General Meeting of
The Psychological Association of Manitoba (PAM)
Thursday, April 26, 2018
Submitted by: John L. Arnett, Ph.D., C. Psych
President, Psychological Association of Manitoba**

I am pleased to report on the activities of the Association since our last Annual General Meeting. As always, the regulatory work of PAM continues despite generally being out of the sight of the general membership. By way of brief overview, PAM has hired a new part-time Administrative Assistant (Ms. Lesley Phimister) and she will also serve as the PAM Deputy Registrar, the leadership of the Complaints Committee has changed with the retirement of Dr. Daryl Gill, substantial progress has been made on including Psychology under the *Regulated Health Professions Act (RHPA)* and we now appear to be on the fast-track to coming under the RHPA, work continues on securing an exemption regarding the current requirement to release protocols of standardized tests under the *Personal Health Information Act (PHIA)* and the *Freedom of Information and Protection of Privacy Act (FIPPA)*, a practice advisory has been developed to help guide psychologists regarding Manitoba's *Medical Assistance in Dying (MAID)* Act, and Council has been able to hold the 2018 membership dues unchanged once again for 2018.

However, not all has gone the way Council had hoped over the past year. In June 2017, Manitoba Education and Training (MET) unexpectedly signaled its opposition to the inclusion of school psychologists currently regulated by MET in the RHPA General Regulation. Thus, after many years of PAM and the Manitoba Association of School Psychologists (MASP) working together to create a unified regulatory framework for all psychologists in Manitoba, the PAM-MASP agreement was not able to be implemented at this time. Not surprisingly, this was very disappointing news for both PAM and MASP as the agreement ended many years of difficult and, at times, acrimonious relations between PAM and MASP and would have permitted the regulation of all school psychology practitioners in the Province. Thus, the provisions in the General Regulation that permitted the registration of master's level school psychologists in the College of Psychologists were removed from the proposed General Regulation as it was clear that psychology's inclusion in the RHPA would not likely proceed in the face of significant opposition of a major government department.

As I've said previously, as a comparatively small province by population and by the number of practicing psychologists, PAM relies very heavily on volunteers in order to carry out its primary mission of protecting the public. Thus I want to express my sincere appreciation and gratitude to the many public volunteers and psychologists who generously contribute their time in order to make it possible for psychology to be a self-regulating health profession in Manitoba. This includes my colleagues on PAM Executive Council and the psychologists and public members who serve on PAM's nine committees and subcommittees.

I also want to express my appreciation to our Registrar, Dr. Alan Slusky, for his continued dedication and excellent work on behalf of PAM, our legal team that includes Mr. Ted Bock from Aikins, McAulay & Thorvaldson LLP who provides legal advice to PAM's Executive Council and to Mr. Blair Graham and Ms. Andrea Doyle from Thompson, Dorfman, & Sweatman LLP who provide legal counsel to the Complaints Committee.

(continued)

I also want to thank Ms. Ginny Campbell (who has now left PAM) for her work as PAM's Administrative Assistant. I also want to warmly welcome Ms. Lesley Phimister as our new part-time Administrative Assistant and Deputy Registrar who will work from the PAM office at 584 Pembina Highway. Lesley is an outstanding administrator with very broad regulatory experience and familiarity with health regulation. We are very fortunate to have been able to recruit Lesley to work on behalf of PAM. I also want to acknowledge the excellent work of Mr. Grant Tarr who serves as the PAM bookkeeper.

As you know, PAM's work is accomplished through PAM Executive Council, the Registrar, and the ten PAM Committees and sub-committees of the Association. I want to acknowledge these individuals and express my sincere appreciation and that of the Association as a whole for the significant contributions that they make to the operation of PAM.

PAM Executive Council

Drs. John L. Arnett (President), Diane Hiebert-Murphy (Vice President), Jennifer Laforce (Treasurer), Donna Chubaty (Member-at-Large), Connie Boutet (Member-at-Large), Andy Lubusko (Member-at-Large), Lorne Sexton (Member-at-Large)

Registrar Dr. Alan Slusky

PAM Committees

- **Registration and Membership Committee**: Drs. Donna Chubaty (Chair), William Davis, Lesley Ritchie, Kent Somers, Hal Wallbridge, and James Ediger
- **Complaints Committee**: Dr. Daryl Gill (Chair until March 2018), Dr. Neil Arnason (Public member), Mr. Glen Matsumoto (Public Member), Ms. Val Stanowski (Public Member). Drs. Lois Edmund, Steve Feldgaier (New Chair, effective March 2018), Adrienne Leslie-Toogood, and Linda Rhodes
- **Inquiry Committee**: Drs. James Newton (Chair), Neil Craton (Public Member), James Ediger, Lesley Koven, Linda Trigg, Sid Frankel (Public Member), Mr. Ian Hughes (Public member),
- **Examinations Committee**: Dr. Naomi Berger (Chair)
- **Publications Committee**: Drs. Donna Chubaty (Chair), Alan Slusky, Ms. Lesley Phimister
- **Standards Committee**: Drs. Hal Wallbridge (Chair)
 - **Continuing Education** (subcommittee of Standards Committee): Drs. Jane Bow (Chair) and Don Stewart
 - **Jurisprudence Examination** (subcommittee of Standards Committee): Drs. Hal Wallbridge (Chair), Lesley Graff, and Alan Slusky
- **Legislative Review Committee**: Drs. Diane Hiebert-Murphy (Chair), Alan Slusky, and John Arnett (*ex-officio*),
- **Nomination Committee**: Dr. James Newton

(continued)

The day-to-day work of PAM has continued throughout the past year and includes, for example, responding to requests for information from the general public as well as various government agencies and commissions, receiving and responding to complaints, attending meetings locally, nationally, and internationally related to the regulation of psychology, receiving and processing membership applications, publishing the newsletter, conducting jurisprudence and oral examinations, monitoring legislative proposals related to the practice of psychology in Canada and around the world, responding to and contributing to requests for comment and suggestions from other psychology regulators both nationally and internationally, making recommendations to government regarding legislation related to the practice of psychology, etc. In addition to these routine operations considerable work has been done on a number of specific initiatives over the past year, including but not limited to the following:

1. *Regulated Health Professions Act (RHPA)*: Work on this has picked up considerably over the last year as PAM has been advised by government that our profession is "next in line" to move forward on inclusion in the *RHPA*. As you might anticipate, however, next in line doesn't necessarily mean that inclusion is imminent. Council continues to work closely with Mr. David Hodgson, who as you know, PAM hired to assist psychology in navigating the path to inclusion in the *RHPA*. David's work has continued to be outstanding and his organizational skills and detailed knowledge of how government works has been invaluable in moving things along as quickly as is possible. We are nearing completion of what we expect will be very near the final version of the Psychology General Regulation (Draft 7) which defines the psychology membership classes and qualifications for membership, certificates of practice, reserved acts psychologists will be authorized to perform, standards of practice, continuing competency, incorporation, practitioner profiles, and other matters. When this document is approved by government for distribution, it will be widely distributed to psychologists, other health professions, and the general public for comment. The Reserved Acts that psychology has requested that have preliminary government approval include Reserved Act 1 (making a diagnosis relating to a psychological disease or disorder that is within the person's scope of clinical training and competency as a psychologist and communicating it to an individual or his or her personal representative in circumstances in which it is reasonably foreseeable that the individual or representative will rely on the diagnosis to make a decision about the individual's health care), Reserved Act 2 (Receiving reports of screening or diagnostic tests), and Reserved Act 20 (performing a psycho-social intervention with an expectation of modifying a substantial disorder of thought, mood, perception, orientation or memory that grossly impairs judgment, behavior, the capacity to recognize reality, or the ability to meet the ordinary demands of life)

(continued)

2. *Personal Health Information Act (PHIA)*: As I mentioned in my report two years ago, *PHIA* is being reviewed for revision. One of the things that remains unresolved for PAM Members and an issue that PAM continues to raise with government has been revisions to *PHIA* that would protect PAM members from being pressured to release copyrighted raw test protocols in violation of the conditions that they agreed to when they purchased the tests from the publishers or distributors. PAM continues to advise that copyrighted raw test materials should only be released under a specific court order, unless they are to be released to a qualified practitioner. However, as noted previously, the legal opinion obtained by PAM suggests that without changes to *PHIA* the authority to refuse to release the test materials is problematic. The delay in moving on this is very unfortunate as specific language in the health information legislation in some provinces is available that protects psychologists from being compelled to release raw test protocols. This is precisely the legislative change that PAM has been seeking from government to be included in an updated *PHIA*. Please be assured that PAM will continue pursuing the legitimate legislative changes to *PHIA* that are necessary to protect PAM members from being pressured to do what they have legally agreed not to do.
3. *Complaints Committee*: I am very pleased to report that the Complaints Committee has been working very efficiently and effectively under the direction of Dr. Daryl Gill for the last few years. However, Dr Gill has made a work career decision to decrease his work hours and to move out of the city to a fairly remote area of Ontario with limited telephone and communications access. This necessitated his need to relinquish his role as Chair of the PAM Complaints Committee. In anticipation of the changes in his work life, Dr. Gill worked diligently to ensure that there was a smooth transition in leadership of this very important PAM committee and PAM Council approved the appointment of Dr. Steve Feldgaier as the new Chair of the Complaints Committee effective in March 2018. PAM owes a substantial debt of gratitude to Dr. Gill for his outstanding work and leadership of the Complaints Committee and to Dr. Feldgaier for accepting this important new responsibility.
4. *Office of the Manitoba Fairness Commissioner (OMFC)*: PAM successfully completed the OMFC 2017 Registration Review and the Fairness Commissioner gave PAM significant praise for PAM's work to ensure a fair and transparent process for international trained applicants.

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5. PAM has been very fortunate to bring Lesley Phimister into the Association as Deputy Registrar. Lesley replaces our former administrative assistant, Ginny Campbell. Lesley comes to PAM with 17 years of great experience in health regulation and a solid commitment to the highest ethical standards. She is very familiar with health policy legislation which is particularly crucial to PAM at the present time and that will continue to be critical to PAM moving forward. In her other part-time work she is also the Registrar for the Manitoba Naturopathic Association and Administrator for the College of Podiatrists of Manitoba. She is a year 2000 graduate of the University of Winnipeg and has completed Human Resource Management and Organizational Behavior courses at George Brown College.
6. Dr. Alan Slusky was recently elected to the Board of Directors of the Association of State and Provincial Psychology Boards (ASPPB). This will require substantial travel and his consequent absence from the PAM office. Thus, Ms. Phimister's hiring came at a great time and will facilitate the continuing operation of the PAM office during Alan's absence from the Province.

Again, thank you to all the volunteers and staff that enable PAM to carry out its day to day operations. Please feel free to contact myself, any Council member, or the Registrar with questions or feedback.

Respectfully submitted,

John L. Arnett, Ph.D., C. Psych.

President

PSYCHOLOGICAL ASSOCIATION OF MANITOBA

Treasurer's Report Fiscal Year 2017 2018 Annual General Meeting

It is my privilege to report to PAM membership on the sound fiscal status of the association as we have adjusted to our new office space. Our expenses this year fell under budget at \$197, 289.32. We had an overall surplus of \$28, 480.06.

The 2018 Budget is largely similar to the 2017 Budget. The largest increase in budgeted expenses was the Office expenses line (increase of \$15, 000), which reflects both expected increased costs of services and the salary allocated for the position of Deputy Registrar.

This increase was largely offset by expected increases in income and slight reductions in the budgeted amounts for Legal to Council and Inquiry.

As has been established over the last two years, we continue to expect we will use savings for (a) atypical Inquiry costs and (b) special projects (currently only the RHPA Consultant). There is no change to this policy for 2018.

The 2018 Budget and Financial statement for 2017 is presented in the document entitled, PAM Financial Statement 2017 & Budget 2018, posted on the PAM website. The Balance Sheet for 2017 has not been posted but is available upon request to those members who wish to review it.

Dr. Jackie Walker once again served as lay auditor to our association's 2017 books, in accordance with our bylaws. Please see her Lay Auditors' Report to the membership. On PAM Council's behalf, I take this opportunity to thank Dr. Walker for her service.

Respectfully submitted,

Jennifer C. Laforce, Ph.D., C.Psych., Treasurer,
Psychological Association of Manitoba

PAM Financial Statement 2017 and Proposed Budget 2018

	Budget 2017	Actual 2017	Budget 2018
INCOME			
<i>membership dues</i>	205,160.00	211,791.00	211,000.00
<i>exam fees</i>	4,000.00	3,000.00	3,000.00
<i>application fees</i>	2,500.00	2,750.00	2,500.00
<i>interest</i>	6,900.00	8,228.38	8,000.00
TOTAL INCOME	218,560.00	225,769.38	224,500.00
EXPENSES			
Meetings	4,000.00	3,000.98	3,900.00
PAM Dues	3,000.00	2,659.10	3,000.00
Office expenses	35,000.00	30,373.98	50,000.00
Registrar	44,000.00	44,000.04	44,000.00
Space rental/ storage	37,000.00	34,913.97	37,000.00
TOTAL OFFICE COSTS	116,000.00	109,287.99	131,000.00
Legal to Council	10,000.00	638.29	5,000.00
Legal to Inquiry	10,000.00	...	7,000.00
Complaints Committee Costs	69,000.00	67,449.02	69,000.00
TOTAL LEGAL/COMPLAINTS	89,000.00	68,087.49	81,000.00
Travel (ASPPB, ACPRO)	5,000.00	5,979.51	5,000.00
Project expenses*		8,274.25	
Depreciation & amortization*		4,333.06	
TOTAL EXPENSES	217,000.00	201,622.38	223,900.00
Ordinary Expense			
Surplus (Deficit)	1,560.00	29,189.17	600.00

*expected from saving

expected expenses from savings in 2018

additional Inquiry expenses
RHPA consultant
depreciation costs

Registration & Membership Committee

Annual Report 2018

PAM's Registration & Membership Committee consists of Dr. Bill Davis, Dr. James Ediger, Dr. Lesley Ritchie, Dr. Kent Somers, Dr. Hal Wallbridge and myself as Chair. I am pleased to welcome Ms. Lesley Phimister, Deputy Registrar, who has already provided valuable input to the Committee. She has most recently undertaken the revision of the Committee's tracking forms in order to streamline our process. The Registration & Membership Committee meets monthly and reviews new applications as well as requests from existing PAM Members to expand areas of competency. We are currently exploring on-line options for form completion and are working on a document that articulates expectations of clinical supervisors.

I am pleased to announce the new registrants for the 2017-2018 membership year:

<u>C. Psych.</u>	<u>C. Psych. (Cand.)</u>	<u>PA (IP)</u>
Dr. Alexis Faller	Dr. Michelle Choch	Ms. Kristen Meyer
Dr. Robyn Legge	Dr. Chantal Darzi	Ms. Uliana Nevzorova
Dr. Kelly Malcolmson	Dr. Elizabeth Hebert	
Dr. Natalie Mota	Dr. Christine Henriksen	
Dr. Margaret Penfold	Dr. Matthew Keough	
Dr. Jessica Senn	Dr. Darren Neufeld	
Dr. Vivek Sharma	Dr. Kristen Reynolds	<u>Life Members</u>
Dr. William Utendale	Dr. Heather Simister	Dr. Siegfried Hiebert
	Dr. Ofelia Tatu	
	Dr. Lindsay Woods-Frolich	

Resignations

Dr. Jason Peebles

Dr. Ofelia Tatu

Complaints Committee Report

Annual General Meeting, April 2018

Purpose of the Committee: One of the major functions of PAM is to respond to complaints from the public. The Committee's response is regulated by our By-law #1, which seeks a process that is fair to both the person with a complaint, and the psychologist who responds. The Committee then follows the same two documents that our members use in their work: PAM's Code of Conduct and the Canadian Code of Ethics for Psychologists.

Nature of Complaints: More than half of the complaints in 2017 were related to psychological assessment (mainly insurance-based independent assessments). Other complaints were related to boundary issues, office practices, fees charged, inter-professional communication, and bias in assessment. We are seeing a modest increase over the past few years in complaints related to professionalism and office practices, and a reduction in complaints related to custody and access.

Membership: The Committee has been very stable over the past few years in its membership. It has representation from 3 members of the public: Dr. Neil Arnason, Mr. Glenn Matsumoto, and Ms. Val Stanowski. They are very active on the Committee, and have the same workload as the PAM members. The psychologists on the Committee are: Drs. Lois Edmund, Steven Feldgaier, Adrienne Leslie-Toogood, and Linda Rhodes. I have now retired from chairing the Committee, and this will be in the very capable hands of Dr. Feldgaier.

Assistance to the Committee: Other members of PAM agree to very important roles as Investigators, Expert Opinions, and remediation Supervisors. The Committee would like to acknowledge and thank the following psychologists who have assisted in 2017: Drs. Lesley Enns, Garry Hawryluk, Ed Johnson, Cathy Moser, Tim Osachuk, and Vivienne Rowan. We rely on their volunteer time and greatly appreciate their support. Our Committee requests that PAM members consider any requests to serve in these roles.

Number of Complaints: The chart below indicates that the number of new complaints in 2017 was less than half of the number received in the previous two years.

Complaint Statistics 2013 - 2017

	2017	2016	2015	2014	2013
Number of Complaints Reviewed	15	18	20	22	22
Carried Forward (from previous year)	10	7	9	16	12
New Complaints	5	11	11	6	10
Outcome of Committee Review					
Closed	8	8	13	13	6
Carried Forward (to next year)	7	10	7	9	16

(continued)

Over the past 3 years, the average time it took to close complaints was reduced: 13 months in 2015, 11 months in 2016 and 6 months in 2017. One file in 2017 was closed in 3 months, which is felt to be a very reasonable speed.

Complaints that are more complex typically require an Investigator. We have found that this does significantly increase the time to close a complaint. As an example, for complaints closed in 2015, having an Investigator involved increased the time in progress significantly - 4 times as long as those without an Investigator. In 2016 and 2017, it increased the time in process by about 2.5 times for closed complaints. We are always looking for means of decreasing the amount of time that an Investigator requires. However, we balance this with two other factors. First, a longer time is understandable given that these are the more complex complaints, and it takes time to engage an Investigator, set up interviews, etc. Second, our Investigators act on their own unpaid time, and we recognize that they have many other priorities in their work. PAM has also sponsored an investigator's course for our Assistant Ms. Phimister, so that she can assist in situations where the Committee needs some facts quickly, that don't require a psychologist's background.

Informal Observations: Although the number of complaints has recently dropped, we have found that the expectations of the public have increased! Some of these expectations are not realistic. Examples of this, from the past few years include:

- one person did not want the complaint sent to the psychologist, and therefore the Committee did not proceed with the complaint
- two individuals wanted to file their complaints without any documentation. Neither of these complaints have proceeded.
- two people requested that PAM find them another psychologist (and in one of these cases, the person thought that PAM's office could provide this at no charge)
- one person's complaint was related to being fired, and was seeking assistance with a personnel matter
- two complaints were related to assessments or therapy that were done
- decades ago (20 years in one case, and over 30 years in another).
- one person with a complaint expected that the psychologist be suspended from their job simply because of being investigated
- many people making a complaint assume that the Committee members are either paid and/or are full-time, and can respond at the speed of provincial or federal agencies

Thus, one of the questions on PAM's Complaint Form is what they expect from PAM. And if this is unrealistic, we can try to advise them of this early in the complaints process. And, at 2 points on the first page of the Complaint Form, it is stated that PAM cannot award financial compensation!

Online Resources: PAM's website has information to help both our members, and a person who is making a complaint. There is a form for making a complaint, and for making an appeal of the Committee's decision. In addition, members can access on our website PAM's Code of Conduct and the Canadian Code of Ethics for Psychologists.

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Outcome of Complaints: Many complaints are dismissed. As an example, none of the 8 complaints that were closed in 2017 resulted in charges being drafted. However, in some situations where the member's conduct did not reach the level of being either unprofessional or unethical, the Committee provided comments for the psychologist to consider. Other outcomes can include a Caution; or an agreement for additional education, or training. One psychologist has pleaded guilty to 3 charges from complaints in previous years. At the time of this writing, the matter was referred on to the next step, which is the Inquiry Committee, who makes the final decisions on the consequences for the psychologist.

Thank you: Our Committee thanks the many members that served as our Investigators, Expert Opinions and Supervisors! We also invite members to contact us, if they have an interest in serving in any capacity.

Sincerely,

Daryl Gill, Ph.D., C. Psych.

Chair, Complaints Committee

Standards Committee
Report to the Annual General Meeting
of the Psychological Association of Manitoba

March 30, 2018

A central task of the P.A.M. Standards Committee is looking into situations where a person who is not a Registered Psychologist in Manitoba appears to have contravened C.C.S.M. c. P190 (The Psychologists Registration Act (Manitoba)), which states that the professional designation "C. Psych." may only be used in Manitoba by persons duly Registered with the Psychological Association of Manitoba. The Act provides that it is an offense for any person not registered under the Act to refer to him/herself as a Psychologist or to describe the services he/she provides using the words "psychological", "psychologist" or "psychology." The approach taken by Standards is normally educational when such situations arise, and that has been the case again this year.

Over the past year, reports related to misuse of the terms "psychologist" or "psychological" have been quite low and only one action has been taken by the Standards Committee:

1. A letter was sent to an individual describing herself as a Certified Counsellor in a private practise that she should not describe her services as including "psychological testing". She was advised about alternative language to describe her services.

I wish to thank those persons who have brought these matters to our attention and for the contribution they have made to maintaining professional standards that protect the public.

Hal Wallbridge, Ph.D., C. Psych. - (Chair) Standards Committee

Standards Committee

Hal Wallbridge, Ph.D., C. Psych. - (Chair)

Gary Shady, Ph.D., C.Psych.

Continuing Education Sub-Committee of Standards

Jane Bow, Ph.D., C.Psych. (Chair)

Don Stewart, Ph.D., C.Psych.

Jurisprudence Examination Sub-committee of Standards

Hal Wallbridge, Ph.D., C.Psych. (Chair)

Lesley Graff, Ph.D., C.Psych.

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

Report of Examinations Committee, Psychological Association of Manitoba

The Examinations Committee of the Psychological Association of Manitoba is charged with organizing, implementing and reporting the results of oral examinations of candidates seeking registration to practice psychology independently in Manitoba. In addition, the Examinations Committee organizes, implements and reports on oral interviews for psychologists registered to practice independently in other jurisdictions, who are now seeking to be registered in Manitoba under the terms of the Agreements on Internal Trade (AIT).

Two Thousand and Seventeen was again a busy year for the examinations committee. A total of thirteen examinations were conducted, six of which were oral interviews for psychologists seeking registration in Manitoba under the terms of AIT. A trend seen this year was an increase in requests for oral interviews for psychologists seeking to be registered under the terms of AIT. Average wait time between notice that a candidate was ready to proceed with the exam and the exam date was similar to recent years and was six weeks.

Sincere thanks are extended to the following volunteer oral examiners and oral interviewers, who generously gave of their time and expertise to support the work of this committee: Drs. Paula Battle, Naomi Berger, Michael Burdz, Karen Dyck, Ali El-Khatib, Sharon Goszer-Tritt, Diane Hiebert-Murphy, Andrew Jones, Lesley Koven, Sonia Marrone, Kelly Penner Hutton, Bailey Rayter, Linda Rhodes, Valdine Scott, Norah Vincent, and Michelle Warren.

The Examinations Committee is fortunate to have a strong and committed roster of volunteer oral examiners. However, to alleviate the demand on these individuals, additions to the examiners' roster are always welcomed. Interested psychologists are encouraged to contact me for details (anne-marie@drbrowndegagne.ca).

Respectfully submitted by
Anne-Marie Brown-DeGagne, Ph.D. C.Psych.
Registered Psychologist
Chair, Examinations Committee

Publications Committee

Annual Report 2018

The Publications Committee consists of Dr. Alan Slusky, Ms. Lesley Phimister (Deputy Registrar) and myself as Chair. I would like to thank Ms. Ginny Campbell (Administrative Assistant) for her assistance last year. Since the last AGM, we have published two issues of Manitoba Psychologist, Summer 2017 and Winter of 2017/18. Of note, the most recent issue included a PAM practice advisory on Medical Assistance in Dying (MAiD) and an update on the EPPP Part 2. The next issue of Manitoba Psychologist is anticipated to include annual reports from the current AGM. The purpose of the newsletter is to provide information about regulatory issues both for the psychological community and the wider public, consistent with PAM's central responsibility to protect the public. Content will continue to focus on membership, standards, ethical issues, complaints, continuing education, and other regulation-related matters. Issues are e-mailed to members and selected non-members, with current and back-issues available on the PAM website. Anyone with feedback and/or suggestions is more than welcome to contact me.

Respectfully Submitted,

Dr. Donna E. Chubaty, C. Psych.

Chair, Publications Committee

Disciplinary Findings

THE PSYCHOLOGISTS REGISTRATION ACT,

C.C.S.M. c. P190

AND IN THE MATTER OF: CHARGES OF PROFESSIONAL MISCONDUCT
AND DR. RICHARD SHORE, Ph.D., C.Psych

BETWEEN: THE COMPLAINTS COMMITTEE OF THE PSYCHOLOGICAL
ASSOCIATION OF MANITOBA
-and-
DR. RICHARD SHORE, Ph.D., C.Psych.

RESOLUTION AND ORDER OF INQUIRY COMMITTEE PANEL
OF THE
PSYCHOLOGICAL ASSOCIATION OF MANITOBA

5. engaged in professional misconduct.

AND WHEREAS Shore was duly served with the Notice of Hearing dated April 3, 2018 pursuant to The Psychologists Registration Act, C.C.S.M. c. P 190 for a hearing before this Panel of the Inquiry Committee of PAM on May 7, 2018, and appeared on that date with counsel;

AND WHEREAS the hearing into these charges proceeded on May 7, 2018 in the presence of Shore and his counsel;

AND WHEREAS Shore pleaded guilty to the charges, the parties tendered a "Statement of Agreed Facts" and "Joint Recommendation" and, by their counsel, made submissions thereon which were heard by the Inquiry Committee Panel on May 7, 2018;

AND WHEREAS the Inquiry Committee Panel accepted Shore's plea of guilty and the parties' Joint Recommendation and thereby found Shore guilty of professional misconduct, all as more particularly set forth in written reasons for decision delivered in this matter;

AND ON HEARING the submissions of counsel for the parties with respect to the appropriate discipline to be imposed;

NOW THEREFORE BE IT RESOLVED AND ORDERED that:

1. Pursuant to section 41(1)(c) of By-law No. 1 of the Psychological Association of Manitoba ("PAM"), under The Psychologists Registration Act, C.C.S.M. c. P190, Richard Shore, Ph.D., CPsych. ("Dr. Shore") shall be reprimanded.
2. Pursuant to section 41(1)(e) of PAM's By-law No. 1, the following conditions shall be imposed upon Dr. Shore's entitlement to practice psychology in the Province of Manitoba:
 - i) He shall practice psychology under the supervision of Dr. Lesley Enns, Ph.D., CPsych. (hereinafter referred to as "Dr. Enns"). The objectives of the supervision will be to satisfy Dr. Enns that:
 - a) Dr. Shore is practicing within his areas of competence;
 - b) Dr. Shore is providing professional services to his clients competently, and within the reasonable standards of the psychological profession in Manitoba;
 - c) Dr. Shore is establishing and maintaining the appropriate and professional boundaries with all of his clients; and
 - d) the quality and organization of the Dr. Shore's files and records are improving, particularly the quality of Dr. Shore's clinical notes and memoranda;

- ii) The period of supervision will be at least one year, from January 1, 2018 (the "supervisory period"). The supervisory period may be extended if, in the opinion of Dr. Enns, a further period of supervision is required in order to fulfill any of the objectives outlined above;
- iii) The supervision shall consist of meetings between Dr. Enns and Dr. Shore occurring at least once per month (or more frequently at the discretion of Dr. Enns) which meetings shall be at least one hour in duration. Dr. Enns shall be entitled to review whatever aspects of Dr. Shore's practice she considers necessary, including the review of any or all patient/client files and chart notes. Dr. Enns' review shall focus on files on which there is an intersection between Dr. Shore's own vulnerabilities as demonstrated by the charges of professional misconduct relating to the complaints against him and those vulnerabilities outlined in the Comprehensive Occupational Assessment Program report dated July 3, 2017. Dr. Enn's review shall also focus on any files in which she believes there may be risks of boundary violations inherent in particular files;
- iv) Part of the supervision to be provided by Dr. Enns will consist of discussions between Dr. Enns and Dr. Shore of individual patient/client files including the treatment plan, and progress in realizing the objectives of any such plan, with particular emphasis on providing effective treatment while maintaining appropriate professional boundaries. Dr. Enns, in her capacity as supervisor/mentor, shall be entitled to recommend that Dr. Shore not undertake counselling or treatment of any particular patient/client or that his ongoing treatment or counselling of any particular patient/client be discontinued, and that any particular patient/client be referred to another psychologist or other appropriate therapist. Dr. Shore shall be obliged to accept any such recommendations that may be made by Dr. Enns;
- v) The supervision shall also consist of regular reviews and discussions of the chart notes and other file memoranda being prepared and maintained by Dr. Shore with the objective of ensuring the adequacy of those notes and memoranda with an emphasis on recording sufficient clinical observations relative to treatment and outlining an appropriate and informative history. The supervision will also address the necessity of Dr. Shore making notes about non-session related interactions (e.g. telephone calls, interactions with referral sources, etc.) and in ensuring that all relevant document and notes with respect to those interactions are stored in his client files.
- vi) The supervision hereunder may also include a periodic review of the forms being utilized by Dr. Shore in his practice including Release of Information and Consent to Treatment forms;
- vii) Dr. Enns shall be entitled on her own initiative or at the request of the Complaints Committee to provide periodic written reports to the Complaints Committee as to the progress of the supervision and to make whatever recommendations she deems best advisable for any changes to the supervision program. The Complaints Committee agrees to promptly provide to Dr. Shore any written report from Dr. Enns relating to her supervision of Dr. Shore;

- viii) The Complaints Committee shall be entitled to make whatever changes it deems best advisable to the supervision program provided such changes are based on the recommendations of Dr. Enns. Dr. Shore shall be obliged to comply with those changes;
 - ix) Immediately prior to the end of the supervisory period, which shall be December 31, 2018, or such later date, if extended hereunder, Dr. Enns shall provide a final written report of her supervision of Dr. Shore to the Complaints Committee, which report shall include a recommendation as to whether Dr. Shore shall be permitted to practice psychology in the Province of Manitoba, either with or without supervision, and with respect to any conditions which shall be placed upon his entitlement to do so, including any ongoing restrictions on the areas of psychological practice in which he may engage. The Complaints Committee shall promptly provide the final written report of Dr. Enns of her supervision to Dr. Shore;
 - x) It is understood and acknowledged by Dr. Shore that Dr. Enns will not be accepting Dr. Shore's clients as her clients, and will not be accepting professional responsibility for the care, counselling or treatment of those clients by conducting the supervision hereunder, or by reviewing the information contained in the files, charts and records relating to clients, being maintained by Dr. Shore;
 - xi) As part of the supervision, Dr. Shore will obtain a consent to be signed by all of clients, including any new clients who engage Dr. Shore during the period of the supervision, authorizing Dr. Enns to have access to each clients' personal health information as contained in the files, charts and records being maintained by Dr. Shore;
 - xii) During the period of supervision, Dr. Shore shall be entitled to continue to treat adult clients with anxiety, depression, relationship difficulties and Post-Traumatic Stress Disorder, who have some concurrent Cluster A and/or Cluster C personality disorder traits. Dr. Shore will continue to use a Cognitive Behavioural Therapy approach in the treatment of such clients. It is recognized and acknowledged by Dr. Shore that in the past, he has encountered difficulties in treating clients with strong Cluster B personality disorder traits. Therefore, Dr. Shore shall not engage in the treatment of pure personality disorders or in the treatment of clients with strong concurrent Cluster B personality disorder traits for anxiety, depression, relationship difficulties and Post Traumatic Stress Disorder. It is recognized and acknowledged by Dr. Shore that Dr. Enns will likely recommend that any ongoing treatment or counselling of such clients be discontinued and that any particular clients with those features will be referred to another psychologist or appropriate therapist;
 - xiii)(a) During the period of supervision, Dr. Shore will limit his practice to the treatment of adults and will refrain from practicing in areas including being an expert witness in court cases, child custody and access cases, parental capacity assessments, and formal psychometric assessments; and
 - xiii)(b) During the period of supervision Dr. Shore shall not take on any new patients or referrals from institutional or third party insurers, including the Workers Compensation Board or the Manitoba Public Insurance Corporation involving vocational rehabilitation cases. Further, he will not involve himself with any clients or referrals relating to vocational rehabilitation programs.
3. Dr. Shore shall continue engaging in ongoing education with respect to the importance of establishing appropriate clinical boundaries with his patients/clients. Such educational courses shall be taken over time and shall be chosen on the basis of the courses effectively addressing Dr. Shore's own specific vulnerabilities as exhibited in the complaints against him.

4. Dr. Shore will participate in ongoing psychotherapy with a psychiatrist or a psychologist to assist him in identifying and managing his personal vulnerabilities relating to both his professional and personal life. Such psychotherapy shall continue, for at least as long as the supervision period.
5. Dr. Shore must pay for all costs related to the conditions on his license, including the costs of any continuing education, the costs of any ongoing psychotherapy and the costs of any supervision, mentoring and monitoring, including any costs associated with the provision of written reports by Dr. Enns to the Complaints Committee.
6. If there is any disagreement between Dr. Shore and PAM, or any of its committees, respecting any aspect of this Joint Recommendation or any Inquiry Panel Order based on this Joint Recommendation, including any disagreement with respect to whether Dr. Shore shall be permitted to practice psychology in the Province of Manitoba following the supervision period, or with respect to what conditions, if any, may be imposed upon Dr. Shore's entitlement to practice psychology in Manitoba beyond the supervision period, or with respect to any restrictions on the areas of psychological practice in which Dr. Shore may engage following the supervision period, any such disagreement may be remitted by either the Complaints Committee or Dr. Shore to a Panel of the Inquiry Committee. The Inquiry Committee shall have the exclusive jurisdiction to resolve such disagreement.
7. There shall be publication of a summary of the allegations contained in the three charges of professional misconduct and the outcome of the proceedings before a Panel of the Inquiry Committee with reference to Dr. Shore by name. The publication will be made in the PAM newsletter and on the PAM website. Details of the charges and of Dr. Shore's guilty plea to the charges will also be provided to the Inter-Jurisdictional Disciplinary Databank maintained by the Association of State and Provincial Psychology Boards.
8. A breach by Dr. Shore of any of the terms of this Joint Recommendation, or of any of the terms of any Inquiry Panel Order based on this Joint Recommendation, will constitute a further act of professional misconduct by Dr. Shore. A letter from the Chair of the Complaints Committee certifying that such a breach has occurred shall be conclusive evidence of further professional misconduct without the need for any additional investigation or formal proof of such misconduct.

DATED this 15th day of May, 2018.



JIM NEWTON
Chair, Inquiry Committee Panel

PAM COUNCIL AND COMMITTEE MEMBERS

Executive Council:

John L. Arnett, Ph.D., C.Psych. (Chair), Diane Hiebert-Murphy, Ph.D., C.Psych. (Vice-President), Jennifer Laforce, Ph.D., C.Psych. (Treasurer), Donna Chubaty, Ph.D., C.Psych. (Member-at-Large), Connie Boutet, Ph.D., C. Psych. (Member-at-Large), Andy Lubusko, Ph.D., C. Psych. (Member-at-Large), Lorne Sexton, Ph.D., C. Psych. (Member-at-Large)

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Complaint:

Steve Feldgaier, Ph.D., C. Psych (Chair), Lesley Ritchie, Ph.D., C. Psych., Linda Rhodes, Ph.D., C.Psych., Lois Edmund, Ph.D., C. Psych., Monika Allen, MA, PA(IP), Adrienne Leslie-Toogood, Ph.D., C. Psych., Dr. Neil Arnason, (Public Member), Mr. Glenn Matsumoto, (Public Member), Ms. Val Stanowski, (Public Member)

Inquiry:

James Newton, Ph.D., C.Psych. (Chair), James Ediger, Ph.D., C. Psych. Lesley Koven, Ph.D., C. Psych., Linda Trigg, Ph.D., C.Psych., Neil Craton (Public Member), Mr. Ian Hughes (Public Member), Sid Frankel (Public Member)

Examination:

Maxine Holmqvist, Ph.D., C.Psych. (Chair)

Publications

Donna Chubaty, Ph.D., C.Psych. (Chair), Alan Slusky, Ph.D., C.Psych., Lesley Phimister, Deputy Registrar

Standards:

Hal Wallbridge, Ph.D., C.Psych.

Jurisprudence Examination (Sub-Committee of Standards):

Hal Wallbridge, Ph.D., C.Psych. (Chair), Lesley Graff, Ph.D., C. Psych., Alan Slusky, Ph.D., C. Psych.

Continuing Education (Sub-Committee of Standards):

Jane Bow, Ph.D., C.Psych. (Chair), Don Stewart, Ph.D., C.Psych.

Legislative Review:

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

Nomination Committee

James Newton, Ph.D., C.Psych.