



Ontario College of
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**Response from the
Ontario College of Social Workers and Social Service Workers (OCSWSSW)
February 2009**

in regard to the

**Health Professions Regulatory Advisory Council (HPRAC)
Interim Report to the Minister of Health and Long-Term Care on
Mechanisms to Facilitate and Support
Interprofessional Collaboration among Health Colleges and Regulated
Health Professionals
And
Critical Links: Transforming and Supporting Patient Care, A Report to the
Minister of Health and Long-Term Care on Mechanisms to Facilitate and
Support Interprofessional Collaboration and a New Framework for the
Prescribing and Use of Drugs by Non—Physician Regulated Health
Professions**

**An Interim Report to the Minister of Health and Long-Term Care on
Mechanisms to Facilitate and Support Interprofessional Collaboration
among Health Colleges and Regulated Health Professions**

The Regulation of Psychotherapy:

As the OCSWSSW has noted in previous submissions to HPRAC, while the regulated health professions are governed by the *Regulated Health Professions Act* (RHPA) and their regulatory bodies are accountable to the Minister of Health and Long-Term Care, social workers and social service workers are governed by the *Social Work and Social Service Work Act* (SWSSWA) and the OCSWSSW is accountable to the Minister of Community and Social Services. However, an amendment to the RHPA authorizes members of the OCSWSSW to perform the controlled act of psychotherapy in compliance with the *Social Work and Social Service Work Act*, regulations under the Act and the bylaws approved by Council. Despite this, there are frequent references through the Interim Report to “health colleges”, raising concern that the OCSWSSW will be excluded from participating in relevant initiatives and activities as the regulation of psychotherapy moves toward implementation.

For example, while the OCSWSSW is in agreement with HPRAC’s recommendation to the Minister that the transitional Council of the College of Psychotherapists and Registered Mental Health Therapists should include persons who are nominated jointly by the OCSWSSW and the RHPA Colleges whose members are authorized to perform the controlled act of psychotherapy, without an established mechanism for this to occur,

there exists the potential for the unintended omission of the OCSWSSW from this process.

In May 2008, the OCSWSSW surveyed its membership regarding their practice of psychotherapy and the results of this survey confirmed that a great many OCSWSSW members are currently practising psychotherapy. It is difficult to comprehend how, once the *Psychotherapy Act* is in force, a member of the OCSWSSW who practises psychotherapy could avoid holding himself or herself out as a psychotherapist, even if the title “psychotherapist” was not used. The OCSWSSW is in full agreement that the proposed restriction on the use of this title to members of the College of Psychotherapists and Registered Mental Health Therapists of Ontario would be extremely confusing to the public and have an “unintended negative consequence”. Further, the OCSWSSW is in full agreement with HPRAC’s recommendation to the Minister that the use of the title “psychotherapist” should be restricted to members of the College of Psychotherapists and Registered Mental Health Therapists, the OCSWSSW and the RHPA Colleges who have the controlled act of psychotherapy within the scope of their practice.

Finally, in regard to the regulation of psychotherapy, the OCSWSSW agrees with the recommendation that a person who is not a member of the College of Psychotherapists and Registered Mental Health Therapists of Ontario, the OCSWSSW or the RHPA Colleges who practise psychotherapy should not hold himself or herself out as a person who is qualified to practise psychotherapy in Ontario.

Critical Links: Transforming and Supporting Patient Care: A Report to the Minister of Health and Long-Term Care on Mechanisms to Facilitate and Support Interprofessional Collaboration and a New Framework for the Prescribing and Use of Drugs by Non-Physician Regulated Health Professions

The OCSWSSW will not comment on the proposed framework for the prescribing and use of drugs in non-physician regulated health professions as this is not relevant to the professions of social work and social service work. Comments will be confined to the proposed regulatory reform and the development of standards of practice, particularly as they will relate to the controlled act of psychotherapy which will be a shared controlled act.

Regulatory Reform:

The OCSWSSW notes HPRAC’s view that regulatory reform to increase accountability of health colleges will require a shift of the Colleges from “discrete organizations operating as silos, to a true system of regulators that are better aligned and work together...” As more professions are being regulated, and regulation is occurring outside the RHPA (e.g. the College of Social Workers and Social Service Workers is accountable to the Ministry of Community and Social Services, the College of Early Childhood Educators is accountable to the Ministry of Children and Youth), the same argument could be made for ministries working towards a collaborative ministerial system that comes together on issues of mutual concern. With the current climate of overlapping scopes of practice, a collaborative ministerial system will lay the foundation for a collaborative network of regulatory bodies, both of which are critical to ensure public protection.

Standards of Practice:

As stated in the report, the current RHPA framework requires that standards of practice are established in regulation under each health profession Act. The same is not true of the *Social Work and Social Service Work Act*. The standards of practice for members of the OCSWSSW have been approved in a bylaw of the College as standards of practice for its members for the purpose of the Act (Section 26), and the Professional Misconduct Regulation (Ontario Regulation 384/00).

The OCSWSSW notes that HPRAC believes “it is in the public interest for colleges to consult with other colleges in the development of standards of practice – most particularly where health professions share the same or similar controlled acts, or where their scopes of practice overlap”. While social work and social service work are not health professions, members of the OCSWSSW share the controlled act of psychotherapy with members of the RHPA Colleges. The OCSWSSW is very supportive of collaboration with the RHPA Colleges around this matter and in October 2007 initiated a meeting with the RHPA colleges whose members have been authorized to perform the controlled act. To date a series of meetings has taken place and work has begun on developing standards for psychotherapy.

In regard to the “new requirement for health colleges to establish interprofessional standards committees to assist and take part in standards development”, the OCSWSSW is wondering how, as a College whose accountability lies outside the MOHLTC, yet whose members are authorized to perform a controlled act under the RHPA, it would be affected by this requirement, and how it might ensure representation on an Interprofessional Standards Committee.

Council on Health Professions Regulatory Excellence (CHPRE):

Likewise, it is not clear what relationship the OCSWSSW would have if the proposed new agency - Council on Health Professions Regulatory Excellence (CHPRE) - came to fruition. The OCSWSSW hopes that although it is not considered a health college, that in light of the controlled act of psychotherapy and the significant number of OCSWSSW members who provide health care services, it would be appropriately included in the activities of any new oversight body that is created. The OCSWSSW has appreciated HPRAC’s inclusion of the OCSWSSW in consultations relevant to the regulation of social workers and social service workers.