

## Funding for Therapy or Counselling for Persons Sexually Abused by Registrants Policy

**Manual:** Policy – Operations

**Policy #:** Op-1

**Approved by:** Council

**Date:** December 10, 2024

### 1. Purpose

To establish a program to provide funding for therapy or counselling for persons where the Discipline Committee of the Ontario College of Social Workers and Social Service Workers (the “**College**”) has made a finding that a College registrant has sexually abused a person. This policy describes the process and criteria that will be used by the College to determine eligibility for funding.

### 2. Principles

As the regulatory body for social workers and social service workers in Ontario, the College’s mandate is to serve and protect the public interest. Consistent with its public protection mandate, the College is committed to supporting persons who have been sexually abused by registrants by permitting such persons who are eligible in accordance with this policy to receive funding for therapy or counselling through the program. Before the College can fund therapy or counselling, all therapy or counselling expenses must be approved by the College.

### 3. Definitions and Interpretation

“**Applicant**” - The person who submits an application for funding for therapy or counselling.

“**Application**” - The College form completed and submitted by an applicant.

“**Program**” - The program established by this policy to provide funding for therapy or counselling for persons where the College’s Discipline Committee has made a finding that a College registrant has sexually abused a person.

“**Sexual abuse**” - In this policy, reference to “sexual abuse” will also include sexual misconduct.

Unless the context otherwise requires, in this policy:

- a) Words importing the singular include the plural and vice versa and words importing gender include all genders; and

- b) Reference to “therapy or counselling” includes “therapy” or “counselling” or both “therapy and counselling”.

#### **4. Eligibility**

An applicant is eligible for funding for therapy or counselling if:

- a) At the time the sexual abuse of the applicant occurred, the applicant was a client of the registrant or was a former client of the registrant or was not a client of the registrant; and at least one of the following apply:
- i) There has been a finding by the College’s Discipline Committee that the registrant sexually abused the applicant;
  - ii) Allegations of sexual abuse were stayed by the Discipline Committee; or
  - iii) The screening Committee, having considered a record of investigation, would have referred the matter to the Discipline Committee but for the fact that the registration of the registrant was revoked by the College; and
- b) The ‘Additional Conditions of Eligibility’ set out immediately below have been satisfied.

#### **5. Additional Conditions of Eligibility**

Regarding every application, the College must be satisfied that providing funding for therapy or counselling to the applicant would be a just and equitable exercise.

Additionally, every applicant must comply with the following application requirements:

- Submit an application as prescribed by the College;
- Disclose to the College any other funding the applicant has received or may receive for therapy or counselling, i.e., if the applicant has received or may receive funding through OHIP or private insurance (provided that the receipt or possible receipt by the applicant of any other funding for therapy or counselling will not make the applicant ineligible for funding for therapy or counselling in accordance with this policy);
- Acknowledge that the therapist or counsellor chosen by the applicant must complete to the satisfaction of the College the designated form for therapists and counsellors before funding can occur; and
- Undertake to the College to keep all information originating from the application and funding confidential, including the basis upon which the funding was granted, and to refrain from using the information for any collateral or ulterior purpose.

#### **6. Funding**

- 6.1 Subject to and in accordance with this policy, the College will allocate up to a maximum of \$5,000 to fund therapy or counselling for each applicant who is determined to be eligible for funding.
- 6.2 The College reserves the right to deduct from this amount any other funding the applicant has received or may receive for therapy or counselling, i.e., if the applicant has received or may receive funding through OHIP or private insurance.
- 6.3 Funding will be provided for a period of two (2) years<sup>1</sup> commencing on the earlier of:
- The date the College determines the applicant is eligible to receive funding; and
  - The date the applicant first received therapy or counselling which the College determines is eligible for funding.
- 6.4 The College will consider a request to extend the time period for funding if grounds are provided. Upon receiving and after considering such a request, the College may, in its sole discretion, determine that the time period for funding shall be extended for a period determined by the College in its sole discretion.
- 6.5 Funding for therapy or counselling is paid directly to the therapist or counsellor. In the case where the applicant has paid for therapy or counselling which the College determines is eligible for funding prior to applying for funding, subject to the application of section 3 above under the heading "Funding", the College will refund the applicant the amount paid for the therapy or counselling subject to the College's reserved right described in section 2 above.
- 6.6 An applicant may choose any therapist or counsellor that has a place of business in Ontario except:
- Where the applicant has a family relationship with the therapist or counsellor or any other conflict of interest; or
  - Where the therapist or counsellor has been found guilty of professional misconduct or sexual abuse/misconduct in any jurisdiction.
- 6.7 An applicant may choose more than one (1) therapist or counsellor up to the maximum funding limit for all therapists or counsellors combined.
- 6.8 If an applicant's therapist or counsellor of choice is not a member of a regulated health profession/regulated profession, in order for the relevant therapy or counselling to be eligible for funding, the applicant must sign an acknowledgment confirming that they are aware that their chosen therapist or counsellor is not subject to professional discipline by a regulatory body.
- 6.9 Funding may be used in relation to therapy or counselling that was provided at any time after the sexual abuse took place and may only be used in relation to the sexual abuse that was the subject of a finding of the Discipline Committee and may not be applied for any other purpose.

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<sup>1</sup>For greater clarity, if an applicant is determined to be eligible for funding but, for example, only initiates therapy or counselling 10 months after the commencement of their two (2) year eligibility period, funding will be provided regarding therapy or counselling during the remaining 14 months of the two (2) year eligibility period.

- 6.10 Funding can only be used to cover the cost of therapy or counselling and for no other purpose.
- 6.11 The applicant shall be responsible for any cancellation or late fees, as applicable, that may apply to the therapy or counselling.
- 6.12 In the event the finding of sexual abuse or sexual misconduct by the Discipline Committee is appealed, funding shall continue during the appeal unless a stay of the Discipline Committee's decision is ordered in which case funding will be paused pending the outcome of the appeal. If the Discipline's Committee's finding regarding sexual abuse or sexual misconduct is overturned, the College may decide that the applicant is no longer eligible to receive any remaining, unused portion of the fund. If the decision of the Discipline Committee is upheld, funding will resume with respect only to any remaining, unused portion of the fund.

## **7. Procedure**

- 7.1 Where the Discipline Committee has made a finding that a College registrant has sexually abused a person, the College will contact the person to advise them that they may be eligible to apply for funding for therapy or counselling. The person will be provided with information about the program and an application form.
- 7.2 In order to be considered for funding under the program, the person must complete and submit the prescribed application form for review by the College.
- 7.3 Applications for the sexual abuse funding program will be reviewed and the applicant will be contacted if additional information is required. The College will also answer any questions regarding the program.
- 7.4 The College will use its best efforts to review the application within thirty (30) days of the date the application is received to determine the applicant's eligibility for funding.
- 7.5 Within fourteen (14) days after a determination has been made regarding the applicant's eligibility for funding, the College will notify the applicant, in writing, regarding their eligibility for funding and, should it be determined that they are eligible for funding, the steps to be taken to obtain funding.
- 7.6 Funds are paid directly to the chosen therapist or counsellor for treatment unless the applicant paid for therapy or counselling services and is seeking reimbursement in which case the applicant shall furnish the required receipts in order to be reimbursed for the portion for which the applicant has not received or will not receive funding through OHIP or private insurance.
- 7.7 The therapist or counsellor chosen by the applicant must complete to the satisfaction of the College the designated form for therapists and counsellors before funding can occur.

## **8. Evaluation**

This Policy will be reviewed by the Office of the Registrar every three (3) years or as required. Changes to the Policy will be recommended by the Office of the Registrar to Council for approval.