



**By E-mail: [hpracsubmissions@ontario.ca](mailto:hpracsubmissions@ontario.ca)**

September 20, 2017

Mr. Thomas Corcoran, Chair  
Health Professions Regulatory Advisory Council  
56 Wellesley Street West  
12<sup>th</sup> Floor  
Toronto ON M5S 2S3

Dear Mr. Corcoran:

**Re: *Submission to the Health Professions Regulatory Advisory Council (HPRAC) regarding the Controlled Act of Psychotherapy***

The College of Occupational Therapists of Ontario welcomes the opportunity to offer comments and input to the process undertaken by HPRAC to provide advice to the Minister of Health and Long-Term Care about the controlled act of psychotherapy and its clarifying document. Since the adoption of the *Regulated Health Professions Act, 1991* (RHPA), the College has held the opinion that psychotherapy is a high-risk activity, which warrants designation as a controlled act in the interest of public protection. Over the past years, the College has taken steps to ensure occupational therapists (OTs) recognize the risks associated with psychotherapy and follow the standards of practice to ensure safe, effective, ethical care.

- 1. In 2015, a Working Group consisting of five regulatory colleges<sup>1</sup> created a draft *Clarifying Document on the Psychotherapy Controlled Act*. HPRAC will be building on the excellent work of the Colleges. After reading this document (Attachment 2), do you feel that it clearly explains the Controlled Act? If not, why?**

We recognize the language of the legislation and the definition of controlled acts, in full or in part, is written to specify regulatory accountability for regulated health professionals. There is a level of complexity in all controlled acts, and psychotherapy is not an exception. The difference with psychotherapy is that rather than being a discreet task or activity (as are the other 13 controlled acts) it is an approach or modality. It is not surprising that the public is challenged with the language of this controlled act.

As part of the working group that developed the clarification document, it is our opinion that the document sufficiently explains the controlled act to regulated health professionals who, in turn, have a responsibility to ensure client understanding of service delivery and expected outcomes, as is the case with delivery of any other controlled act.

While the controlled act, as written in the RHPA, is complex and arguably imperfect, feedback indicates general understanding of this act is enhanced by reviewing the

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<sup>1</sup> College of Registered Psychotherapists of Ontario (CRPO), College of Occupational Therapists of Ontario (COTO), Ontario College of Social Workers and Social Service Workers (OCSWSSW), College of Nurses of Ontario (CNO) and the College of Psychologists of Ontario (CPO)



clarification document. Professionals sufficiently trained in the process of psychotherapy understand when their client has a serious disorder that is causing them serious impairment.

**2. What changes would you suggest be made to improve the Clarifying Document so that the public and other health care providers (regulated and unregulated) have a better understanding of it?**

The College has collaborated extensively with both the Ministry of Health and Long-Term Care and the Colleges of the five other regulated professions with proposed access to the controlled act to research and debate the best way to clarify the controlled act. At this time, the College is not recommending any changes to the current document.

**3. Should other health care providers, either unregulated or regulated and not members of the six colleges<sup>2</sup> who would practice the controlled act of psychotherapy if this section of the Regulated Health Professions Act, 1991 (RHPA) is proclaimed, be allowed to practice the controlled act?**

The College suggests that the controlled act was conceived with the notion that the public most at risk, would only have qualified and accountable professionals involved in their care. Individuals receiving a modality as intrusive as psychotherapy are often at their most vulnerable. While recognizing the value of having other providers deliver a multitude of needed and complementary services, the College would not support the involvement of unregulated individuals in the delivery of the controlled act of psychotherapy. Occupational therapists who provide psychotherapy are trained to provide this modality and to recognize and manage adverse effects. This training is critical to ensure the delivery of safe, effective services. Furthermore, occupational therapists must comply with the established standards of practice for the profession.

**4. Are there conditions under which health care providers, either unregulated or regulated and not members of the six colleges who would practice the controlled act of psychotherapy if this section of the Regulated Health Professions Act, 1991 (RHPA) is proclaimed, be allowed to practice the controlled act? If so, which health care providers and under which conditions?**

Given the seriousness of the conditions requiring the controlled act of psychotherapy and the training and accountability required to safely deliver this intervention, the College is not aware of other individuals or groups that should be given such authority.

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<sup>2</sup> This is in reference to the above five colleges plus the College of Physicians and Surgeons of Ontario (CPSO).



**5. The five regulated colleges, along with the College of Physicians and Surgeons of Ontario (CPSO) will be able to use the title “Psychotherapist” once the Controlled Act is proclaimed. How important is it that the title “Psychotherapist” be protected?’**

The protection of the title ‘psychotherapist’ is a significant public protection measure. A protected title is directly tied to professional qualifications, accountabilities and responsibilities. As such, protection of the title “psychotherapist” should be enacted for those professions named as having authority to perform the controlled act, including occupational therapists. Title protection is particularly important due to the wording of the controlled act itself, which controls only part of the provision of the modality of psychotherapy. This means that provision of any other psychotherapy services that do not meet the definition of the controlled act will continue to be in the public domain, permitting anyone the ability to say they are providing psychotherapy. Enacting protection to the title ‘psychotherapist’ will assist the public in knowing when the psychotherapy services they are receiving are provided by someone who has received adequate training and is accountable to a regulatory body. Regulated health professionals must adhere to standards of practice and meet defined training requirements to provide psychotherapy services safely and ethically. Regulated health professionals are held accountable to their respective Colleges for this safe and ethical service through regular quality assurance activities, expectations for adherence to standards of practice, and the complaints and discipline processes of the College.

The College believes risk to public safety would be mitigated by moving forward with the controlled act and its delivery by regulated health professionals. While the College appreciates the importance of public understanding, we believe the focus should be on designating psychotherapy as a controlled act. Regulated health professionals have accountability for ensuring understanding and there will be opportunities to address any issues and build greater public awareness of the act itself as we move forward. The College is committed to continuing to work in a collaborative manner to address any resulting issues with our members, the public and other stakeholders.

Thank you for the opportunity to participate in the consultation and to provide these comments.

Yours sincerely,

Elinor Larney MHSoc, OT Reg. (Ont.)  
Registrar, College of Occupational Therapists of Ontario

cc Ms. Jane Cox, President, College of Occupational Therapists of Ontario