

1991 BILL 54

Third Session, 22nd Legislature, 40 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 54

PSYCHOLOGY PROFESSION AMENDMENT ACT, 1991

MRS. MIROSH

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Mrs. Mirosch

BILL 54

1991

PSYCHOLOGY PROFESSION AMENDMENT ACT, 1991

(Assented to _____, 1991)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 *The Psychology Profession Act is amended by this Act.*

2 *Section 2 is amended by adding the following after subsection (3):*

(3.1) No person except a chartered psychologist or registrant who has obtained an earned doctoral degree in a program in psychology approved by the Universities Co-ordinating Council shall use the title "Doctor" or the abbreviation "Dr." or "Ph.D." in connection with the practice of psychology without identifying the program or discipline in which the person earned or received the doctoral degree.

3 *Section 8 is amended*

(a) *by repealing subsection (1)(b) and substituting the following:*

(b) when the number of persons elected under clause (a) does not exceed 10, 2 members of the public or, when the number of persons elected under clause (a) is more than 10, 3 members of the public who shall be appointed for a term of not more than 3 years by the Lieutenant Governor in Council after consultation with the Council.

(b) *by adding the following after subsection (3):*

(3.1) A member of the public appointed under subsection (1)(b) may hold office for not more than 6 consecutive years.

Explanatory Notes

1 This Bill will amend chapter P-25.01 of the Statutes of Alberta, 1985.

2 Section 2(3) presently reads:

(3) No person, except a chartered psychologist, shall represent or hold out, expressly or by implication, that he is a chartered psychologist.

3 Section 8(1) and (4) presently read:

8(1) The Council shall consist of

(a) at least 10 chartered psychologists or a greater number that may be prescribed by or determined in accordance with the by-laws, each of whom shall be elected in accordance with the by-laws,

(b) when the number of persons elected under clause (a) does not exceed 10, 1 member of the public or, when the number of persons elected under clause (a) is more than 10, 2 members of the public, who shall be appointed by the Minister after consultation with the Council for a 1-year term of office, and

(c) ex officio members, if any, appointed by the Council.

(c) *in subsection (4) by striking out “Minister” and substituting “Lieutenant Governor in Council”.*

4 *Section 15 is repealed and the following is substituted:*

15 An application for registration as a chartered psychologist shall not be approved by the Registration Committee unless the applicant

- (a) produces
 - (i) a certificate of approval from the Universities Co-ordinating Council showing that the applicant has obtained an earned master’s degree from an approved program of psychology, or
 - (ii) documentation satisfactory to the Registration Committee that shows that the Universities Co-ordinating Council is satisfied that his academic qualifications are substantially equivalent to a master’s degree from an approved program of psychology,

and

- (b) meets the character and other requirements set out in the regulations.

(4) The Minister may, after consultation with the Council, revoke the appointment of a member of the public appointed under subsection (1)(b).

4 Section 15 presently reads:

15(1) An application for registration as a chartered psychologist shall not be approved by the Registration Committee unless the applicant

(a) produces

(i) a certificate of approval from the Universities Co-ordinating Council showing that the applicant has obtained an earned doctoral degree from an approved program of psychology,
or

(ii) documentation satisfactory to the Registration Committee that shows that the Universities Co-ordinating Council is satisfied that his academic qualifications are substantially equivalent to a doctoral degree from an approved program of psychology,

and

(b) meets the character and other requirements set out in the regulations.

(2) Notwithstanding subsection (1), for a period of 5 years following the date on which this Act comes into force, an applicant for registration as a chartered psychologist who

(a) produces

(i) a certificate of approval from the Universities Co-ordinating Council showing that he has an earned master's degree from an approved program of psychology,
or

(ii) documentation satisfactory to the Registration Committee that shows that the Universities Co-ordinating Council is satisfied that his academic qualifications are substantially equivalent to a master's degree from an approved program of psychology,

and

(b) meets the character and other requirements set out in the regulations

5 *Section 27 is amended*

(a) *by repealing subsection (1)(b) and substituting the following:*

(b) one member of the public appointed for a term of not more than 3 years by the Lieutenant Governor in Council after consultation with the Council.

(b) *by repealing subsection (2);*

(c) *by adding the following after subsection (3):*

(3.1) A member of the Discipline Committee appointed under subsection (1)(b) may hold office for not more than 6 consecutive years.

(d) *in subsection (5) by striking out “Minister” and substituting “Lieutenant Governor in Council”.*

6 *Section 36(3) is repealed and the following is substituted:*

(3) A hearing before the Discipline Committee shall be open to the public unless

(a) the complainant requests that the hearing be held in private because of the confidential nature of the matters to be heard, or

(b) in the opinion of the Discipline Committee, the interests of any person other than the investigated person would be detrimentally affected if the hearing were not held in private.

7 *Section 37(2) is amended by striking out “90 days” and substituting “120 days”.*

shall be deemed to have the necessary qualifications required for registration as a chartered psychologist and may maintain his registration notwithstanding subsection (1).

5 Section 27(1), (2) and (5) presently read:

27(1) There is hereby established a committee called the Discipline Committee composed of no fewer than 5 persons as follows:

(a) at least 4 chartered psychologists appointed by the Council in accordance with the by-laws, and

(b) 1 person who is appointed by the Minister from a list of no fewer than 3 members of the public nominated by the Council.

(2) If the Council fails, within a reasonable period of time after being asked to do so by the Minister, to make nominations for the purposes of subsection (1)(b), the Minister may appoint a member of the public to the Discipline Committee without the Council's nomination.

(5) The Minister may, after consultation with the Council, revoke the appointment of the member of the Discipline Committee appointed under subsection (1)(b).

6 Section 36(3) presently reads:

(3) Proceedings before the Discipline Committee or the Council shall be held in camera.

7 Section 37(2) presently reads:

(2) The hearing referred to in subsection (1) shall be scheduled for a date not more than 90 days after the date on which the matter is referred to the Discipline Committee or the determination is made, or within such other period as may be prescribed by the Council for the matter.

8 *Section 40 is amended*

- (a) *in subsection (1) by striking out “chartered psychologist or registrant” and substituting “person”;*
- (b) *in subsection (2) by striking out “or in any proceedings under this Part or any other Act” and substituting “, in a prosecution under this Act or in any proceedings under any other Act, except in a prosecution for or in proceedings in respect of perjury or the giving of contradictory evidence”.*

9 *Section 54 is amended by adding the following after subsection (5):*

(5.1) A hearing of an appeal before the Council shall be open to the public unless, in the opinion of the Council, the interests of any person other than the investigated person would be detrimentally affected if the hearing were not held in private.

10 *Section 60(1)(m) is amended by striking out “for any service administered or provided”.*

8 Section 40(1) and (2) presently read:

40(1) The investigated person and any other chartered psychologist or registrant who, in the opinion of the Discipline Committee, has knowledge of the complaint or matter being investigated are compellable witnesses in any proceeding under this Part.

(2) A witness referred to in subsection (1) may be examined under oath on all matters relevant to the investigation or hearing before the Discipline Committee and shall not be excused from answering any question on the ground that the answer might tend to

(a) incriminate him,

(b) subject him to punishment under this Act, or

(c) establish his liability

(i) to a civil proceeding at the instance of the Crown or of any other person, or

(ii) to prosecution under any Act,

but if the answer so given tends to incriminate him, subject him to punishment or establish his liability, it shall not be used or received against him in any civil proceedings or in any proceedings under this Part or any other Act.

9 Provides for appeals before the Council on discipline matters to be held in public.

10 Section 60(1)(m) presently reads:

60(1) The Council may make by-laws

(m) respecting the fees, dues and levies payable to the Association by chartered psychologists, registrants and other members of the Association or by applicants under this Act for any service administered or provided;