



Dear Registrant,

I am writing to you respecting some proposed amendments to the *Psychologists Act*.

We understand that the government is prepared to consider certain limited amendments to the *Psychologists Act* for the spring sitting of the Legislature, 2018. While there may be a variety of other amendments and upgrades that we would like to make to the *Psychologists Act* over time, we are restricting our request at this time to four principal areas of the *Act* that we believe require updating now, and yet do not create additional costs to registrants, or clients, and do not require widespread public consultation, given the nature of the proposed amendments. These four areas are as follows:

**(1) Introduction of a "purpose" or "objects" section of the Act:**

The current *Psychologists Act* does not contain an objects clause or any clause spelling out the mandate or purpose of NSBEP. In most other statutes for regulated health professions in Nova Scotia there is a clear objects clause in the statute noting that the purpose of the organization is to regulate in the public interest. The "objects clause" is frequently used when questions of interpretation of a statute arise, and it is important that the foundational purpose of NSBEP be included in its legislation.

[Please see the attached Q & A document which provides the wording proposed for this section.](#)

**(2) Changes to the manner in which Board members are elected or appointed:**

At present the Board of NSBEP is an appointed board, consisting of five members who are appointed by APNS, and two public representatives appointed by the Governor in Council.

APNS outlines its mandate as the following:

The Association of Psychologists of Nova Scotia (APNS) is a voluntary professional organization established in 1965 to represent psychology in Nova Scotia. APNS is the only provincial association devoted to representing the needs of psychology professionals in the province. APNS promotes psychology as a profession, as a science, and as a means of promoting human welfare.

- APNS advocates for psychology through representations to government, employers and the public at large.
- APNS advocates for the public through representations to government and employers on matters affecting public mental health and wellness.
- APNS educates by organizing and facilitating workshops and conferences.
- APNS builds psychological collegiality by fostering a sense of community among all who identify with psychology.

Where the purpose of the Board is to regulate the practice of psychology in the public interest, there is the potential for conflicting interests to arise where the Board itself is largely comprised of persons appointed by the professional organization. To avoid the role confusion between the professional organization and the regulator, it is proposed that the five psychologist members of the Board be elected by the registrants of NSBEP, in accordance with a process to be set out in the regulations. The regulations will include the criteria outlined in the attached Q & A document. If the amendments to the *Act* are approved, registrants will be consulted when the regulations are drafted for submission to government.

It is also proposed that the term for Board members be changed from three years to two years, with a further change allowing for board members to serve no more than three consecutive terms. This revision will attract the volunteers who may not be willing to serve a three-year term, but will still provide for the opportunity for them to remain for a total of six years, as is currently the case in the *Psychologists Act*, through subsequent re-elections.

There are a variety of consequential amendments which flow from the board changing from an appointment process to election process, including a transitional provision from the current Board to the newly elected Board.

### **(3) Introduction of good character requirement:**

Apart from specific areas noted in subsections 15(4) and 16(3), the *Psychologists Act* is presently silent on the ability of the Board to seek information from applicants regarding their general competence, capacity and character, and to utilize this information when considering eligibility for registration. This is a standard requirement in virtually all other statutes or regulations for other regulated health professions. By adding the requirement in legislation to apply to the registration and re-registration provisions whereby it is a criterion for registration and re-registration to have current capacity, competence and character, NSBEP is aligning itself with legislation in other health professions in the province by providing registration criteria needed to protect the public interest. The Board will continue to ask the same existing questions in relation to good character that are required as part of the registration and re-registration process.

[For reference, these questions are included as an attachment.](#)

### **(4) Registration Appeals Committee**

As the current *Psychologists Act* did not contain a registration appeals process when the *Fair Registration Practices Act* passed, the Board established an internal review committee to act as an appellate body for denials of registration.

In keeping with government expectations and in consultation with the Board's legal counsel and government, it was also timely to further amend the *Psychologists Act* to include a specific registration appeal process that will be consistent with the remaining portions of the *Psychologists Act*, and consistent with the *Fair Registration Practices Act*.

Since the intent at the moment is not to make wholesale changes to the *Psychologists Act*, in consultation with legal counsel, it was decided that it would be appropriate to create a section in the *Act* allowing for the creation of a Registration Appeal Committee which can address any denials of registration, renewals of registration, or the imposition of conditions by the Board with which an applicant disagrees.

We are also including a document which addresses various questions and answers on the above sought amendments.

For more information please click on the the below list of documents.

#### **List of Documents:**

1. [Q & A on the proposed amendments](#)
2. [Existing questions from NSBEP Registration Process](#)
3. [PDF version of letter to registrants](#)

We welcome feedback on the proposed amendments. The Board would appreciate receiving comments by February 23, 2018.

You are invited to submit your feedback to:

Nova Scotia Board of Examiners in Psychology  
Attention: Nancy Bartlett, Ph.D., Chair  
5991 Spring Garden Road, Suite 455, Halifax, NS B3H 1Y6  
Fax: 902-423-0058  
Email: [nsbep@nsbep.org](mailto:nsbep@nsbep.org)

Sincerely,

A handwritten signature in black ink that reads "Gordon Butler". The signature is written in a cursive style with a large initial 'G' and 'B'.

Gordon Butler, Ph.D.  
Registrar

[Website](#) [About NSBEP](#) [Registrants](#) [Directory](#) [Contact Us](#)