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**NOVA SCOTIA BOARD OF EXAMINERS IN PSYCHOLOGY
SUMMARY OF DECISION OF INVESTIGATION COMMITTEE
DR. KATHERINE YURCHESYN**

The Investigation Committee of the Nova Scotia Board of Examiners in Psychology (“NSBEP”) concluded its investigation into a complaint against Dr. Katherine Yurchesyn by issuing its decision dated September 30, 2020.

The Investigation Committee reached an agreement with Dr. Yurchesyn with respect to the disposition of the complaint. A summary of the complaint and disposition appears below.

OVERVIEW OF COMPLAINT AND SUMMARY OF INVESTIGATION

This matter was initiated by a formal complaint dated November 23, 2018 regarding the competence and conduct of Dr. Yurchesyn as a registered psychologist in Nova Scotia. The conduct in question occurred in 2018.

The complainant was a staff member at Dr. Yurchesyn’s former employer.

NSBEP’s Investigation Committee, formed in accordance with the *Nova Scotia Psychologists Act*, was responsible for the investigation of this complaint.

On July 19, 2019, the Investigation Committee imposed interim restrictions on Dr. Yurchesyn’s practice pending the completion of the investigation. The restrictions required Dr. Yurchesyn to practice under supervision.

In the course of concluding its investigation, the Committee considered all material forwarded to it, including Board policies, the Canadian Code of Ethics for Psychologists, the Standards of Professional Conduct, and all materials filed by the complainant and the respondent.

Dr. Yurchesyn does not have a prior disciplinary history with NSBEP.

ISSUES

The following issues were identified for investigation:

1. Did Dr. Yurchesyn fail to adhere to accepted standards of practice and ethical principles?
2. Is Dr. Yurchesyn competent to practise psychology?

KEY POINTS AS RAISED BY THE COMPLAINANT

The complainant raised several concerns regarding Dr. Yurchesyn's practice, including the following:

- conducting a psycho-educational assessment in a manner outside of professional standards for psycho-education assessments and her employer's standard parameters. In one case, Dr. Yurchesyn conducted an assessment over a 6-month period, in one-hour timeslots, with feedback given following individual subtests, as opposed to her employer's standard of full days of testing and a four-week period between completion of testing and report writing and feedback;
- failing to complete reports and submitting reports late. In one case, Dr. Yurchesyn submitted a report 20 months after completing the associated assessment. Due to the significant passage of time between the assessment and the report, another psychologist conducted a new assessment. The new assessment uncovered significant clinical issues not captured by Dr. Yurchesyn;
- failing to complete progress notes, including for clients who presented with suicidal ideation and self-harming behaviours;
- submitting reports that contained errors and missing relevant information;
- failing to follow-up with clients in a timely manner or at all; and
- failing to properly store, handle and transfer confidential client information.

DR. YURCHESYN'S RESPONSE

Dr. Yurchesyn provided a written response to the complaint on March 6, 2019.

She explained that the incidents reported in the complaint arose as a result of workplace, health, and housing issues.

DISCUSSION

Dr. Yurchesyn took prolonged periods of time to conduct assessments; conducted assessments in a non-standardized manner; and failed to complete reports and provide appropriate feedback to clients and their families within a reasonable amount of time.

Dr. Yurchesyn's conduct in this regard engaged the following Standards of the Canadian Code of Ethics for Psychologists:

II.1 Protect and promote the well-being and best interests of primary clients, contract examinees, research participants, employees, supervisees, students, trainees, colleagues, team members or other collaborators, and others.

II.2 Avoid doing harm to primary clients, contract examinees, research participants, employees, supervisees, students, trainees, colleagues, team members or other collaborators, and others.

II.18 Strive to provide and/or obtain the best reasonably accessible service for those seeking psychological services. This may include, but is not limited to, selecting assessment tools, methods, interventions, and communication modalities that are: (a) relevant and tailored to the needs, characteristics, and contexts of the primary client or contract examinee; and (b) based on the best available evidence in light of those needs, characteristics, and contexts. It also may include, but is not limited to: consulting or collaborating with service-providing organizations in the community, members of other disciplines, individuals and groups relevant to the culture or belief systems of those receiving or being subject to services; or advocating on behalf of a primary client when appropriate and needed.

II.20 Provide suitable information, unless declined or contraindicated (e.g., some critical inquiry studies, possibility of harm legally disallowed), about the results of assessments, evaluations, or research findings to the individuals and groups (e.g., couples, families, organizations, communities, peoples) involved. This information would be communicated in ways that are developmentally, linguistically, and culturally appropriate, and that are meaningful and helpful.

Dr. Yurchesyn may not have properly stored, handled or transferred private information in a way that attended to the needs for privacy, confidentiality or security of her clients' private information, thus engaging the following Standard of the Canadian Code of Ethics for Psychologists:

I.41 Collect, record, store, handle, and transfer all private information, whether written or unwritten (e.g., paper or electronic records, e-mail or fax communications, computer files, recordings), in a way that attends to the needs for privacy, confidentiality, and security. This would include protection from loss or unauthorized access, appropriate education of staff or other agents, and having adequate plans in circumstances of one's own serious illness, termination of employment, or death.

Many of Dr. Yurchesyn's client files were found to be missing progress notes and assessment reports, thus engaging the following Standard of the Canadian Code of Ethics for Psychologists:

II.21 Create and maintain records relating to their activities that are sufficient to support continuity and coordination over time and to manage risks.

It was the opinion of the Committee that Dr. Yurchesyn did not demonstrate competence in providing assessments, and that she demonstrated a lack of awareness of and adherence to the

Standards of the discipline of Psychology, thus engaging the following Standards in the Canadian Code of Ethics for Psychologists:

II.6 Offer or carry out (without supervision) only those activities for which they have established their competence to carry them out to the benefit of others.

III.33 Familiarize themselves with their discipline's rules and regulations, and abide by them, unless abiding by them would be seriously detrimental to the moral rights or welfare of others as demonstrated in the Principles of Respect for the Dignity of Persons and Peoples, or Responsible Caring. (See Standards IV.17 and IV.18 for guidelines regarding the resolution of such conflicts.)

III.34 Familiarize themselves with and take into account their discipline's guidelines and best practices for their area(s) of activity, and demonstrate a commitment to maintaining the standards of their discipline.

Additionally, Dr. Yurchesyn's work appeared to fall below the following standard of the NSBEP Standards for Professional Conduct:

2.5 A registrant shall be familiar with the standardization, norms, reliability, and validity of any tests and techniques used and with the proper use and application of these tests.

Dr. Yurchesyn did not seek help or discontinue her practice when her ability to provide beneficial treatment to her clients was adversely impacted, engaging the following Standards of the Canadian Code of Ethics for Psychologists.

II.11 Seek appropriate help and/or discontinue scientific, teaching, supervision, or practice activity for an appropriate period of time, if a physical or psychological condition reduces their ability to benefit and not harm others.

II.12 Engage in self-care activities that help to avoid conditions could result in impaired judgment and interfere with their ability to benefit and not harm others.

Dr. Yurchesyn's actions in her work, as well as in her response to this complaint, demonstrated a lack of understanding of the gravity of the consequences of her actions, placing most of the blame on external factors engaging the following Standards of the Canadian Code of Ethics for Psychologists:

II.3 Accept responsibility for the consequences of their actions.

II.7 Not delegate activities to individuals or groups not competent to carry them out to the benefit of others.

As a component of the investigation, Dr. Yurchesyn participated in supervision, which included file audits. An interim summary submitted by Dr. Yurchesyn's supervisor indicated that Dr. Yurchesyn was collaborative with the supervision process, well-prepared for supervision meetings, and interested in ways to improve her practice with clients as well as with colleagues. The supervisor advised that the files she reviewed demonstrated no problems, though she pointed out that she had not had any opportunity to review psychological assessment reports, as such assessments had not been part of Dr. Yurchesyn's current position. The supervisor indicated no

concerns regarding Dr. Yurchesyn's record keeping, time management, ability to communicate clearly in written and verbal communication, or organizational abilities.

In her final report, Dr. Yurchesyn's supervisor opined that Dr. Yurchesyn was prepared to return to unsupervised practice.

DISPOSITION

The Committee determined there was sufficient evidence that, if proven, would constitute professional misconduct and/or incompetence, and warranted a registration sanction.

In lieu of forwarding this matter to the Hearing Committee and with the consent of Dr. Yurchesyn, the Committee ordered the following pursuant to section 35 of the *Psychologists Act*:

- Dr. Yurchesyn is **reprimanded** for failing to:
 - complete assessments and provide feedback within a reasonable amount of time or at all;
 - conduct assessments in a standardized manner;
 - safeguard the privacy and confidentiality of client information;
 - maintain client records in a manner that supported continuity of care;
 - demonstrate competence in conducting assessments; and
 - seek help or discontinue her practice when she had become impaired in her ability to provide beneficial treatment to her clients.

Dr. Yurchesyn shall undertake the following **re-education and training**:

- Dr. Yurchesyn is required to have a minimum of one year of mentorship to take place for two hours/month by a Registered Psychologist to be approved by NSBEP;
- the mentorship shall include direct observation once in every six-month period, and employer contact once in every 12-month period;
- Dr. Yurchesyn must clarify her scope of practice, and identify areas on which to focus on-going training. From this, Dr. Yurchesyn must submit a detailed Learning Plan to NSBEP to indicate specifically how she will improve her knowledge and skills in that area; and
- the mentor will assess after one year if Dr. Yurchesyn is ready for independent practice or whether continued mentorship would be beneficial; and
- within six months of the date of this decision, Dr. Yurchesyn will enroll in and successfully complete the Canadian Psychological Association's on-line course: Being an Ethical Psychologist.

Dr. Yurchesyn must work in a team environment such as at her current workplace and may not work in a private practice setting unless she submits an application and receives approval from NSBEP.

A reprimand is a registration sanction, which the Investigation Committee may only order with Dr. Yurchesyn's consent. Re-education also requires consent. Dr. Yurchesyn's provided her consent to the reprimand and re-education on December 3, 2020.

The Committee believes that the disposition outlined above reflects its serious concerns with Dr. Yurchesyn's practice and conduct. The Committee believes that the public interest is served by reprimanding Dr. Yurchesyn and requiring remedial re-education and training.

NSBEP and Dr. Yurchesyn may agree to extend, alter, or modify the terms of the re-education and training. Should Dr. Yurchesyn fail to successfully complete the terms of the re-education and training, or should Dr. Yurchesyn violate any of the terms, NSBEP may pursue further disciplinary action.