



OACCPP

Ontario Association of  
Consultants, Counsellors,  
Psychometrists and  
Psychotherapists

ONTARIO ASSOCIATION  
OF CONSULTANTS,  
COUNSELLORS,  
PSYCHOMETRISTS AND  
PSYCHOTHERAPISTS

*Suite 410  
586 Eglinton Ave. E.  
Toronto, ON M4P 1P2*

*Telephone:  
416-298-7333*

*Facsimile:  
416-298-9503*

*Toll Free:  
1-888-622-2779*

*E-mail:  
oaccpp@oaccpp.ca*

*Website:  
www.oaccpp.ca*

February 26, 2019

The Honourable Caroline Mulroney  
Attorney General of Ontario  
McMurtry-Scott Building  
720 Bay St., 11<sup>th</sup> Floor  
Toronto, ON M7A 2S9

Dear Ms. Mulroney,

On behalf of the Ontario Association of Consultants, Counsellors, Psychometrists and Psychotherapists (OACCPP), we write to draw your attention to a necessary change in regulation with respect to medical professionals who are eligible to assess for capacity.

We specifically request the inclusion of members of the College of Registered Psychotherapists of Ontario (CRPO) on the list of “Persons eligible to do assessments of capacity” under Ontario Regulation 460/05 Section 2(2) of the Substitute Decisions Act (1992).

The issue of Registered Psychotherapists’ (RPs) exclusion from capacity assessment came to our attention in a recent email advertising Capacity Assessor Training over a three-day period in Fall 2019. Under the current regulation, members of the following colleges are eligible—with the appropriate training, insurance coverage and regulatory standing—to administer capacity assessments:

*College of Physicians and Surgeons of Ontario.*

*College of Psychologists of Ontario.*

*Ontario College of Social Workers and Social Service Workers*

*College of Occupational Therapists of Ontario.*

*College of Nurses of Ontario*

Members of the CRPO are currently omitted from this list of eligible practitioners, despite being regulated healthcare professionals and possessing an appropriate skill set and educational background for such work. Registered Psychotherapists

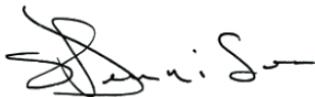
are trained to perform the controlled act of psychotherapy; that is, to treat “an individual’s serious disorder of thought, cognition, mood, emotional regulation, perception or memory that may seriously impair the individual’s judgement, insight, behaviour, communication, or social functioning.” The pivotal role that thought, cognition, memory, and perception serve with respect to an individual’s capacity is self-evident. Further, the training and experience required to register with the CRPO and perform the controlled act of psychotherapy makes RPs similarly qualified to other regulated health professionals who, under current laws, are eligible to assess for capacity.

Interestingly, the five other colleges whose membership is eligible to assess for capacity are also the only five other colleges whose members are permitted to practice the controlled act of psychotherapy, which we believe to be indicative of overlapping skill set and expertise. We hope that you will infer a similar skill set among Ontario’s RPs and consider adding the profession to the list of eligible practitioners of capacity assessments.

The CRPO came into full existence in 2015 so, as a relatively new cohort of regulated health professionals, we recognize that the legislation for capacity assessment pre-dates our regulatory college. However we believe strongly that RPs are suitably qualified to serve the healthcare needs of Ontarians in assessing for capacity, and that the addition of our membership improves access to an indispensable service at a time when neurocognitive issues are on the rise.

We appreciate your consideration of our requested amendment and look forward to your response.

Sincerely,



Suzanne Dennison, DCS., RP, (Cert) OACCPP  
President, OACCPP  
Email: [president@oaccpp.ca](mailto:president@oaccpp.ca)

CC: Juanita Dobson, Assistant Deputy Attorney General  
Kenneth R Goodman, Public Guardian and Trustee  
Deborah Adams, Registrar, CRPO  
Maryann Istiloglu, Executive Director, OACCPP