



Standards of Practice for Yukon Psychologists

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Part 1. Introduction

These standards of practice (“standards”) are made under the authority of the *Health Professions Act* Subsection 1(2):

- (c) To establish, monitor, and enforce standards of education and qualifications for registration of registrants;
- (d) To establish, monitor, and enforce standards of practice so as to require reasonable quality of practice and reduce incompetent, impaired, or unethical practice amongst registrants;
- (e) To establish, monitor, and enforce standards of education and qualifications for registration of registrants;
- (f) To establish, monitor, and enforce standards of professional ethics among registrants and *Psychologists Regulation* Subsection 5(1):

The Registrar of Psychologist must specify:

- (a) Standards of practice for registrants; and
- (b) Standards of professional ethics for registrants.

Standards is one component of the law that governs the practice of psychology in the Yukon. These standards are part of and must be read within the overall legislative scheme that regulates the practice of psychologists, and the practice of psychology, which includes:

- The [Health Professions Act](#)
- The [Psychologists' Regulation](#)
- [Canadian Code of Ethics for Psychologists](#) (the “Code”)
- [Northwest Territories Supervision Guidelines for Provisional Psychologists and Supervisors](#)
- [Psychology's Response to the Truth and Reconciliation Commission of Canada's Report](#) 2018 (A report of the Canadian Psychological Association and the Psychology Foundation of Canada)
- Psychologists practicing in the Yukon must know, understand, and comply with this overall legislative scheme.

These standards are mandatory and represent the minimum acceptable standard of professional behaviour, conduct, and practice for psychologists.

For each standard, there is a basic statement of principle followed by detailed rules set out in the application of the standard. Both the basic statement of principle and the detailed rules are mandatory.

The Government of Yukon has adopted the *Canadian Code of Ethics for Psychologists*. The “Code” consists of principles and values designed to facilitate ethical decision-making. The Code can be used as an ethical framework considered enforceable either independently or in conjunction with the standards in the determination of unprofessional conduct. The Code may be utilized in situations that are not directly addressed by the standards but that nevertheless warrant corrective action or sanction. If a conflict exists between the standards and the Code, the former shall typically prevail. To minimize such conflicts and promote consistency, the standards have adopted/adapted many of the Code's definitional statements.

The *Yukon Standards of Practice of Psychologists* have been adapted from the *Northwest Territories' Standards of Practice for Psychologists* with permission.

Part 2. Definitions

The following definitions apply throughout the standards:

Act means the *Health Professions Act*.

Approved university means a Canadian or International University that has either met Canadian accreditation requirements, such as the Canadian Psychological Association, or had their academic credentials approved by a Canadian or US psychology regulatory body recognized by the Registrar.

Assent means the expression of approval or agreement.

Certificate of qualification is also known as a certificate of standing or a certificate of professional conduct; means a document that is issued by a regulatory authority of any jurisdiction in respect of an individual and that includes information about the individual's licensing and registration history as those relate to their conduct or character or their competence to practise psychology, including

- (a) Any practice limitations, restrictions or conditions imposed on their licence, registration or other authorization to practise psychology, and
- (b) any current or past disciplinary actions or agreements respecting their conduct or character or their competence to practise psychology.

Client means a recipient of professional services, including, but not limited to:

- (a) An individual and, where applicable, a legal guardian or substitute decision-maker; the primary client has directly contracted for and/or is receiving professional services. A primary client may be independent, partially dependent or fully dependent, depending upon their decision-making capacity/authority. An ancillary and/or secondary client is often receiving services through a third party, such as an alternate payor (i.e., school board, insurance or government agency), generally referred to as a retaining party and/or a substitute decision-maker, such as a legal guardian or Court. While all clients are treated with equal dignity, psychologists are expected to clarify, prior to initiating services, client primacy and to explain to the degree possible the limitations this poses on all other service recipients;

- (b) Independent, partially dependent and fully dependent are terms that can apply to primary clients, contract examinees, research participants, students, trainees, supervisees and any other individuals or groups with whom psychologists come into contact in a professional capacity. Such individuals or groups are “independent” if they can understand and consent, are “partially dependent” if the decision to contract or give informed consent is shared between two or more parties (e.g., parents and school boards; workers and Workers’ Compensation Boards; retaining party and contract examinee; adult members of a family coming for service) and “fully dependent” if they have little or no choice about whether or not to receive a particular service or participate in a particular activity (e.g., patients who have been involuntarily committed to a psychiatric facility; very young children involved in a research project);
- (c) Former client/patient, means anyone who previously received professional services from a psychologist in the past but is not currently an active recipient of services from that same psychologist;
- (d) A corporate entity or organization.

Continuing competence is also known as continuing education; means the ongoing or continued capacity to apply knowledge, skills and attitudes that affect the practice of psychology as it relates to the practice of psychologists in Yukon.

Continuing competency program refers to any certification, education, training, continuing competency and quality assurance requirements specified by the Registrar in the standards of practice.

Entry to practice exam is the Examination for Professional Practice of Psychology (EPPP) set by the Association of State and Provincial Psychology Boards; or an equivalent as determined by the Registrar.

Jurisprudence exam is the examination of legislation relevant to the psychologist’s practice in the Yukon, as well as essential knowledge of professional jurisprudence and ethics designed to align with the profession’s mandate to protect the public.

Marketing is a type of advertising and includes:

- (a) An advertisement
- (b) a promotional activity or material, a listing in a directory, a public appearance, a publication or communication in any medium to a client, prospective client or the public in the nature of an advertisement, or any other means by which a registrant's psychology services are promoted; and
- (c) contact with a prospective client that is initiated by or under the direction of a registrant.

Practice of psychology or "psychology" means care and treatment rendered to individuals, families, groups, systems, or organizations and consists of, but is not limited to, the application of empirically based psychological practice, including:

- (a) Evaluation and assessment procedures, including psychological and psychometric testing, for the identification and diagnosis of psychological or mental disorders;
- (b) Interventions to prevent, treat or overcome psychological or mental disorders and dysfunctions or to enhance performance, well-being and situational adjustment including psychoeducation and psychotherapy;
- (c) Research, consultation, and education for the enhancement of cognitive, behavioral,
- (d) emotional, interpersonal and psychological health, well-being, development and functioning;
- (e) supervision of psychological services; and
- (f) program development of services in the areas identified above.

Registrar means the Registrar of Psychologists appointed under section 8 of the *Health Professions Act*.

Substitute decision maker is a person chosen by the patient/client in advance, or legally appointed, to make healthcare decisions on behalf of the client/patient.

Supervisee means a person who provides services under the authority of a psychologist, and includes, but is not limited to, assistants, employees, provisional psychologists, students, and individuals providing services under the *Psychologists Regulation*.

Supervisor means a psychologist who oversees assistants, employees, provisional psychologists, students, or other individuals providing services under the *Psychologists Regulation*.

Unprofessional conduct means any of the following acts or omissions:

- (a) Displaying a lack of knowledge, skill or judgment in the provision of services within the practice of psychology,
- (b) misrepresenting their status as a psychologist or the practice limitations, restrictions, or conditions imposed on their licence or registration,
- (c) failing or refusing to cooperate with the Registrar of Psychologists or an inspector,
- (d) contravening any of the following:
 - i) a provision of the Act or this *Regulation*,
 - ii) an order made under the Act,
 - iii) a practice limitation, restriction or condition imposed on their licence or registration,
 - iv) a provision of any other enactment of Yukon or Canada that applies to the profession,
 - v) the Canadian Code of Ethics for Psychologists
 - vi) the Standards of Practice,
- (e) acting in a way that is detrimental to the best interests of the public,
- (f) making a false representation in an application under this *Regulation*,
- (g) consenting, whether expressly or impliedly, to unprofessional conduct committed by a person who is employed, managed or supervised by, or who is an agent of, the psychologist,
- (h) harming or risking harm to the integrity of the profession of psychology,
- (i) being convicted of an offence related to any matter described in Standard 14.

Part 3. Standards of Practice

Standard 1. Informed Consent for Services

1.1 Informed Consent

1.1.1 A psychologist shall obtain informed consent from the client, and/or guardian (if applicable when consent has been sought from the client however there is a question of client's capacity to consent) and/or substitute decision maker (if chosen by client in advance or legally appointed to make healthcare decisions on behaviour of the client) before providing a psychological service. The standards recognize that consent is a complex issue relating to legislation (Age of Majority) in some practice settings but is foremost and essentially related the client's capacity to consent and understand the psychological service. The standards for informed consent include:

- (a) A psychologist shall document the discussion held with a client, including whether consent was limited or refused.
- (b) A psychologist shall obtain written, signed consent when requesting the client's participation in research.
- (c) A psychologist shall provide information for informed consent in a language or method that the client understands and will ensure that the information is understood by the client to assist the client in decision-making.

1.1.2 The informed consent process shall address the following:

- (a) purpose and nature of the activity;
- (b) mutual responsibilities;
- (c) confidentiality protections and limitations, including how information will be stored and who may have access;
- (d) how confidential information can be accessed;
- (e) how communication will happen between the psychologist and client(s), guardian(s) or third parties;
- (f) likely benefits and risks;
- (g) alternatives;
- (h) likely consequences of non-action;
- (i) option to refuse or withdraw at any time, without prejudice, by the psychologist;

- (j) time period covered by the consent;
- (k) how to rescind consent, if a decision to rescind consent is made; and
- (l) financial arrangements.

1.2 Providing New Information

- 1.2.1 A psychologist shall, in a timely manner, provide new information to a client when such information becomes available and is significant enough that it could reasonably be perceived as being relevant to the original or ongoing informed consent.
- 1.2.2 In addition to obtaining informed consent from a guardian or substitute decision-maker (where applicable), a psychologist shall also provide an appropriate explanation to the client, seek the client's assent and consider the client's preferences and best interests before providing professional service to the client.

1.3 Providing Services Without Informed Consent

- 1.3.1 Notwithstanding section 1.1.1, a psychologist may provide a professional service without informed consent in the case of imminent risk of harm to the client or others but only to the extent necessary to reduce or alleviate the imminent risk for harm; further professional services shall be provided by the psychologist only with informed consent from the client.
- 1.3.2 Psychologists shall make all reasonable efforts to seek and obtain assent when the person receiving the service either lacks the legal capacity to provide informed consent and/or is compelled to accept the service, such as being subject to legal/professional requirements to undergo psychological services, including court orders). The process of seeking assent means the recipient of the professional service has been fully informed (based on their perceived mental/cognitive functioning) of relevant information that may influence their willingness to participate in and accept the service. The process of seeking assent from the service recipient does not substitute for any other legal requirement to seek consent from the service recipient's guardian, representative, or other applicable substitute decision-maker. Efforts to seek and obtain assent shall be appropriately documented.

1.4 Providing Services When Concerns Have Been Expressed

- 1.4.1 When a client expresses concerns about the psychological service, the psychologist shall undertake reasonable efforts to address the concern which includes how issues may be brought to the attention of the Office of the Registrar of Psychologists.

Standard 2. Readiness to Practice and Competence

2.1 Expectations

- 2.1.1 A psychologist shall not practice in the Yukon without fulfilling the licensing requirements set out by the Registrar in keeping with the *Psychologists Regulation and Health Professions Act*.
- 2.1.2 A psychologist shall not provide a professional service or supervision of a professional service unless the psychologist is competent through education, training and/or experience to provide that professional service.

2.2 Readiness to Practice

- 2.2.1 A psychologist shall have their academic credentials approved by a Canadian or US psychology regulatory body recognized by the Registrar.
- 2.2.2 A psychologist shall submit certificate(s) of qualification for any jurisdiction they have practiced in, including practice limitations imposed on their license and any current or past disciplinary actions or agreements respecting their conduct or character or their competence to practise psychology.
- 2.2.3 A psychologist shall submit proof of score of a minimum of 70% on the Examination for Professional Practice of Psychology (EPPP) set by the Association of State and Provincial Psychology Boards; or an equivalent as determined by the Registrar; the registrant may only attempt the EPPP a maximum of 4 times.
- 2.2.4 A psychologist shall pass the Yukon Jurisprudence exam with a score of 80%.
- 2.2.5 A psychologist shall provide proof of liability insurance.
- 2.2.6 To complete provisional registration, supervised practice of 1600 hours, with 2 hours of direct supervision for every 30 clinical hours.

- 2.2.7 A psychologist shall pass any other readiness to practice examination or readiness course as prescribed by the Registrar, including but not limited to Yukon First Nations 101 and other courses related to continuing competency to practice in the Yukon.

2.3 Maintaining Competence

- 2.3.1 A psychologist shall maintain competence to ensure that any professional services provided conform to current standards of the profession.
- 2.3.2 Psychologists must successfully participate in the Continuing Competency Program, in accordance with the *Psychologist's Regulation*, to enhance the provision of professional psychological services by remaining current in the knowledge, skills, diligence and judgment required to serve the public interest.
- 2.3.3 The following are the quality assurance requirements for yearly licence renewal:
- (a) Minimum annual continuing education of 75 hours over 3 years; every 25 hours of continuing education must include at least 3 hours of ethics, 1 hour in suicide prevention, and 2 hours in cultural competency in psychological practice.

2.4 New Areas of Practice

- 2.4.1 When developing competency in a professional service area that is new to the psychologist, the psychologist shall engage in ongoing consultation with a psychologist or other health regulated professional who has expertise in that area and shall seek appropriate education, training, and supervision in the new area.

2.5 Impaired Judgment

- 2.5.1 A psychologist shall not undertake or continue to provide professional services when the psychologist knows, or ought to know, that their judgment is impaired due to mental, cognitive, emotional, or physiological conditions, or because of substance or chemical use, abuse, or dependence.
- 2.5.2 If a condition referenced above develops after a professional relationship has been initiated with a client, a psychologist shall obtain professional assistance and/or consult with another

regulated health professional to determine whether the psychologist should limit, suspend, or terminate the professional relationship.

- 2.5.3 If it is necessary to limit, suspend, or terminate the professional relationship, the psychologist shall strive to fulfill their obligations to help ensure continuity of care, including notifying the client and taking reasonable steps to assist the client in seeking/obtaining services from a suitable professional.

Standard 3. Provision of Supportable Services

3.1 Expectations

- 3.1.1 A psychologist shall provide only supportable professional services. A supportable professional service is based on the client's needs and relevant issues and in accordance with reasonable and generally accepted common practice and/or a theoretical and scientific knowledge base of the discipline.
- 3.1.2 A psychologist shall not provide a professional service when there are reasonable grounds to believe that the treatment may lead to harm and no demonstrable evidence of benefit exists, even if the client has consented to the treatment and/or intervention.
- 3.1.3 A psychologist shall not, while providing a professional service, provide any treatment, counselling, or behaviour modification technique with the objective of changing or modifying the sexual orientation, gender identity, or gender expression of an individual. Providing such services is an offence under the [Yukon Sexual Orientation and Gender Identity Act](#).
- 3.1.4 A psychologist shall provide a professional service only within an established psychologist-client professional relationship, except when providing general educational information, teaching, or conducting research.

3.2 Sufficient Professional Knowledge

- 3.2.1 A psychologist shall not render an opinion about a person that has or could have implications for that person's rights or personal interests without having direct and substantial professional contact with that person, including an informed consent process and formal or general assessment.
- 3.2.2 A psychologist shall not render an opinion or make a statement about a parent or guardian that has or could have implications for the parent or guardian's rights or personal interests without having direct and substantial professional contact, including an informed consent process and formal or general assessment of the person who is the subject of the opinion or statement being made.

- 3.2.3 A psychologist shall not render an opinion outside their commonly recognized area of professional knowledge and/or competence.

3.3 Opinion of Reports Provided by Others

- 3.3.1 A psychologist may render a professional opinion based on reports or information provided by other professionals, as long as the basis of the opinion and limitations are clearly stated by the psychologist as part of the opinion.
- 3.3.2 In stating a professional opinion, a psychologist shall note limitations regarding inferences made by the psychologist in forming the opinion.
- 3.3.3 A psychologist shall base an opinion on, and limit an opinion to, reasonable and generally accepted practice standards and the theoretical and scientific knowledge base of the discipline.

3.4 Referral

- 3.4.1 A psychologist shall communicate rationale to clients when unable to accept a referral due to caseload capacity or if the referring question is outside the psychologist's scope of practice.
- 3.4.2 When possible, the psychologist shall make or recommend referrals to other professional, technical or administrative resources when the presenting concerns are beyond the competence or scope of the psychologist, or when the referral is in accordance with the best interest of the client.

Standard 4. Provision of Services through Virtual Technology

- 4.1 A psychologist who provides professional services through virtual technology (telephone/video/web conference) requires a license in their host jurisdiction as well as the jurisdiction of their client. The psychologist shall provide these services in accordance with the existing practice standards and legislation in the jurisdiction(s) where the psychologist provides the service and client receives the service. In addition, a psychologist shall:
- 4.1.1 ensure that all the necessary technical competencies and awareness to safely and securely utilize the chosen delivery modality are held;
 - 4.1.2 ensure that the client(s) fully understand any therapeutic/assessment limitations, risks, safety/security and alternatives to virtual technology;
 - 4.1.3 abide by standards of informed consent and confidentiality provisions of the profession, including a discussion of the specific limitations/risks inherent in the chosen virtual technology;
 - 4.1.4 establish and maintain professional boundaries, including those related to acceptable communications, non-business-hour communications and alternative non-business-hour resources;
 - 4.1.5 Ensure that all the profession's regulations of the jurisdiction in which the psychologist and the recipient of services are physically situated are abided by, and ensure they are registered in both jurisdictions; and
 - 4.1.6 Ensure the professional services recipient(s) is/are aware of how concerns and/or complaints may be voiced to the psychologist's regulatory body(ies).

Standard 5. Maintenance and Retention of Records

5.1 Maintaining Client Records

5.1.1 A psychologist rendering professional services to a client or billing a third party for professional services shall maintain written, legible and professional records that include the following:

- (b) appropriate, individually identifying information;
- (c) presenting the problem and/or purpose of the professional service;
- (d) fee arrangement;
- (e) date and substance of each professional service, including relevant information on issues discussed, results of assessments or interventions provided, and observations made by the psychologist;
- (f) informed consent discussion, including significant issues of contention and/or withdrawal of consent;
- (g) issues related to termination, including continuity of care;
- (h) test results or other evaluative results obtained, and the basic test data from which the results were derived;
- (i) results of formal consultations;
- (j) sufficient information to allow for the continuation of care by another psychologist or healthcare professional; and
- (k) copies of all correspondence and reports prepared and received.

5.2 Retaining Client Records

5.2.1 A psychologist shall store and dispose of written, electronic and other records in accordance with the [Health Information Privacy and Management Act \(HIPMA\)](#) and the [Access to Information and Protection of Privacy Act \(ATIPP\)](#), in a manner that ensures confidentiality of information received by the psychologist.

5.2.2 When the client is a minor, a psychologist shall retain the client's record for a period of ten (10) years after the date on which the client reaches the age of majority (19 years in the Yukon), or ten (10) years after the last date on which a professional service was provided, whichever is longer.

5.2.3 When the client is an adult, a psychologist shall retain the client's record for a period of not less than ten (10) years after the last date on which a professional service was provided.

- 5.2.4 A psychologist who works in an environment with one or more healthcare providers must establish who has authority, control, ownership of and responsibility for client records, and shall inform all parties and clients how to access their records.
- 5.2.5 In private practice, the psychologist must make provisions to identify a regulated psychologist to have access to client records in situations of death or otherwise indisposed unexpectedly and/or for long periods of time.

5.3 Electronic Records

- 5.3.1 A psychologist who uses an electronic client record shall ensure the electronic record has safeguards that protect the security and confidentiality of information, including, but not limited to, the following:
- (a) only authorized users can access individually identifiable information;
 - (b) appropriate password and encryption controls are used;
 - (c) users can be uniquely identified;
 - (d) users have documented access levels based on their role;
 - (e) audit logging is enabled and meets the requirements of applicable legislation;
 - (f) information is securely transmitted;
 - (g) data integrity is protected, and secure back-up and access protocols are in place;
 - (h) data is stored in Canada;
 - (i) users can be authenticated where electronic signatures are permitted; and
 - (j) electronic data is disposed of in a secure manner, disallowing reconstruction.
- 5.3.2 If a psychologist places information into an electronic record that is not under the psychologist's direct custody and control, the psychologist shall have confidence that the person or organization that has primary responsibility for the record has sufficient access and privacy protections in place.
- 5.3.3 A psychologist who works in private practice shall abide by all applicable privacy legislation and meet all obligations regarding completion of client records, maintenance of record security and confidentiality of information.

5.4 Correcting Factual Inaccuracies in Client Records

5.4.1 A client shall have the right to request a correction of factual inaccuracies in the client's record. The psychologist shall review the request and:

- (a) correct the factual inaccuracies and, to the extent possible, notify the parties who received the inaccurate information from the psychologist; and
- (b) write an amending letter or attachment to the record and ; or
- (c) notify the client if the psychologist is not in agreement that there were factual inaccuracies, or if the inaccuracies were trivial and correction would entail more effort than is justified by the error. In such cases, the psychologist will document the reasons for refusing to make the requested corrections; and
- (d) when the psychologist is unwilling to make the requested correction, the client may write a statement outlining reasons for disagreement and request that it be attached to the record.

Standard 6. Continuity of Care

- 6.1 A psychologist shall ensure that an appropriate professional is willing and available to deal with the needs of a client during the psychologist's absence, planned or otherwise, from professional practice, if necessary; including but not limited to identifying another regulated health professional as the primary contact and/or providing a list of alternate mental wellness supports/resources.
- 6.2 A psychologist shall have appropriate measures in place for client file access in the event of the psychologist's prolonged absence, illness, retirement or death.
- 6.3 A psychologist shall provide reasonable notice of practice closure or change of address to clients with whom there is an expectation that ongoing care will be required.
- 6.4 A psychologist shall notify the Office of the Registrar of Psychologists, in writing, of practice closure or change of address, telephone number and email within thirty (30) calendar days of the change occurring.
- 6.5 A psychologist who is practicing in a location where another psychologist had previously practiced must provide information to an inquiring member of the public that the previous psychologist's new practice location may be obtained from the Office of the Registrar of Psychologists and must provide that member of the public with contact information for the Office of the Registrar of Psychologists.
- 6.6 A psychologist shall continue to provide services until the expiration of a ninety (90) day notice, allowing the client to access alternative services, and then reference Standard 7 Termination of Services

Standard 7. Termination of Services

- 7.1 A psychologist shall continue to offer or agree to provide a professional service to a client until:
- 7.1.1 it is reasonably clear to the psychologist and/or client that the client is not benefiting from the professional services;
 - 7.1.2 the services are no longer required;
 - 7.1.3 the client can no longer afford to engage the professional services of the current psychologist and a responsible transfer to another professional or agency is appropriate;
 - 7.1.4 the client terminates the professional relationship;
 - 7.1.5 the client has had a reasonable opportunity to arrange for the professional service of another psychologist or suitable professional; or
 - 7.1.6 such time as a conflict of interest or a dual relationship arises.
- 7.2 Where a psychologist exercises their discretion to terminate services in accordance with the provisions set out in Standard 6, a psychologist shall provide the client with ninety (90) days notice and assistance to access alternative services in an effort to minimize harm to the client.

Standard 8. Dual / Overlapping / Multiple Relationships

8.1 Expectations

- 8.1.1 Dual/overlapping/multiple relationships are inevitable in small and remote settings with limited resources; a situation which characterizes much of the practice of psychology in the Yukon.
- 8.1.2 Dual/overlapping/multiple relationships present real or potential conflicts of interest, as well as perceptions of such. It is the psychologist's duty to inform all parties of a real or potential conflict of interest and take all reasonable steps to resolve the issue in a manner consistent with the Code.
- 8.1.3 It is the responsibility of the psychologist to manage such relationships so that there are minimal adverse consequences for the client as a result of a present or potential conflict of interest.
- 8.1.4 A dual/overlapping/multiple relationship that is exploitative of the client or a relevant person associated with or related to the client is prohibited.
- 8.1.5 Psychologists are expected to take reasonable steps to ensure that any dual/overlapping/multiple relationships do not impair the psychologist's professional judgment or objectivity or result in a harmful conflict of interest with the client, or a relevant person associated with or related to the client. A psychologist should make every effort to avoid or should discontinue a professional relationship with a client when the objectivity or competency of the member is impaired because of the member's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship with the client or with another relevant person associated with or related to the client.
- 8.1.6 In situations of limited resources, the potential harm of a dual/overlapping/multiple relationship must be weighed relative to the potential harm of the client receiving no service in determining the course of action to be taken.

8.1.7 Dual/overlapping/multiple relationships that would not reasonably be expected to impair a psychologist's judgment or objectivity or risk harm to the client or relevant person associated with or related to the client are not expressly prohibited.

8.1.8 In situations where a decision regarding potential harm or benefit is required, a psychologist is expected to reference the decision making model outlined in the [Canadian Psychological Association's Canadian Code of Ethics for Psychologists](#) (as amended from time to time) and consult with another psychologist as part of their decision making process.

8.2 Testimonials

8.2.1 A psychologist shall not solicit, accept and/or use testimonials of current or past clients or related third parties, even when such testimonials are offered or provided anonymously. A psychologist shall take reasonable steps to remove and/or delete solicited and unsolicited testimonials from all forms of communication, including advertising.

8.3 Potentially Harmful Conflict of Interest

8.3.1 Notwithstanding the Expectations above, a psychologist may continue a professional relationship with a client, even though a potential conflict of interest may exist, in the following exceptional circumstances and until an appropriate transfer to another psychologist is feasible:

- (a) when appropriate professional services from another professional are not available, such as in small communities that are isolated and remote;
- (b) when specialized skills or services are required and are not otherwise available; or
- (c) in a situation involving a crisis or emergency.

8.3.2 A psychologist may continue to provide professional services in the circumstances described above if:

- (a) the client is informed of the current or potential conflicting relationship and its possible consequences;
- (b) a description of the relationship is included in the psychologist's professional records, along with a record of the discussion of the relationship with the client and a record of the client's consent;

- (c) consultations are carried out with at least two (2) other psychologists, and are documented, regarding the relationship and subsequent provision of professional services to the client; and
- (d) withholding the service would be reasonably expected to be more harmful than providing it.

Standard 9. Relationship With Supervisees

- 9.1 Supervision is the consultation, guidance, and oversight by a registered psychologist in a practice setting.
- 9.2 Supervision may be direct, indirect, or indirect remote; however, there are minimum requirements for direct supervision in terms of Yukon licensing requirements:
- 9.2.1 supervisees require a primary supervisor who is an authorized practitioner regulated in the Yukon and physically present at the point of care in the Yukon; and
 - 9.2.2 must complete provisional registration, supervised practice of 1600 hours, with a minimum of two (2) hours of direct supervision from their primary supervisor for every thirty (30) clinical hours.
 - 9.2.3 Indirect Supervision: an authorized practitioner is available for consultation and guidance but is not required to be physically present at the point of care. This person providing indirect supervision is readily available on site and can provide assistance when needed.
 - 9.2.4 Indirect Remote Supervision: an authorized practitioner is available for consultation and guidance but is not required to be physically present at the point of care. This person providing remote supervision can be easily contacted through technology when assistance is needed.
 - 9.2.5 A psychologist shall exercise appropriate supervision over a supervisee, as set forth in these Standards and the *Psychologists Regulation*.
 - 9.2.6 A regulated member shall comply with the Standards for Supervision.
 - 9.2.7 A psychologist shall not delegate professional responsibility, including, but not limited to, a restricted activity to a person who does not have the competence to fulfill the professional responsibility.

For further information, with exception of the definition of Yukon's minimum requirements for direct supervision, see [Northwest Territories Supervision Guidelines for Provisional Psychologists and Supervisors](#).

Standard 10. Protecting the Confidentiality of Clients

10.1 Expectations

- 10.1.1 A psychologist shall adhere to [HIPMA](#) and [ATIPP](#) governing their practice.
- 10.1.2 A psychologist shall inform a client of the limits to confidentiality and shall safeguard the confidential information about the client obtained in the course of providing a professional service.

10.2 Disclosing with Informed Written Consent

- 10.2.1 Unless permitted or required by law or by these standards, a psychologist shall disclose confidential information about a client to an individual other than the client, only with the informed, written, signed, and dated consent of the client.
- 10.2.2 The consent shall stipulate the information to be released, the recipient and the time period covered by the consent.

10.3 Disclosing Without Informed Consent

- 10.3.1 A psychologist may disclose confidential information about a client without the informed, written consent of the client when the psychologist has reasonable and probable grounds to believe that disclosure is necessary to prevent imminent and grave harm to:
 - (a) the client;
 - (b) another person's mental or physical health or safety; and/or
 - (c) public safety.
- 10.3.2 A psychologist may disclose confidential information about a client without the informed, written consent of the client when permitted or required by law.
- 10.3.3 A psychologist disclosing confidential information pursuant without informed consent shall limit disclosure to persons who reasonably need to know, and to the extent necessary in the circumstances.

10.4 Services involving more than one interested party.

10.4.1 In a situation where more than one party has an interest in the professional services provided by a psychologist to a client, the psychologist shall, to the extent possible, clarify the limits of confidentiality to all parties prior to providing the professional service.

10.5 Multiple Clients

10.5.1 When a professional service is provided to more than one client (such as a family, a couple, a parent and child or a group), a psychologist shall, at the beginning of the professional relationship, address issues of confidentiality, disclosure and release of information. All clients must consent to the terms under which services will be provided.

10.6 Clients who have Guardians or Substitute-Decision Makers

10.6.1 When a professional service is provided to a person for whom a guardian or substitute-decision maker has been identified/appointed (for legal and/or capacity to consent reasons), a psychologist shall, at the beginning of the professional relationship, clarify for the client and the guardian that the law may impose a limit on the client's, right to confidentiality.

Notwithstanding the above sections, if the guardian agrees in advance that certain issues are not to be disclosed to the guardian, a psychologist shall not provide the information relating to those issues, to the guardian or another party, unless required by law.

10.7 Limited Access to Client Records

10.7.1 A psychologist shall ensure the confidentiality of the psychologist's professional records and shall ensure that persons working under the psychologist's authority comply with the requirement to keep information about a client confidential.

10.8 Duty to Release Confidential Information

10.8.1 The duty of a psychologist to maintain confidentiality under these standards does not relieve the psychologist of the obligation to release confidential information in accordance with a court order or federal or provincial/territorial laws, rules or regulations. Court refers to a court or an administrative tribunal of competent jurisdiction.

10.9 Release of Information to Clients

10.9.1 When a psychologist has control of a client's file, the psychologist shall provide access to, and shall, within thirty (30) calendar days of a request, permit the reproduction and release of the personal information about a client to the client unless there is a significant likelihood that disclosure of the information would cause:

- (a) a substantial adverse effect or harm to the client's physical, mental or emotional health;
- Or
- (b) harm to a third party.

10.9.2 When a psychologist provides access to, or reproduction and release of, personal information about a client to the client, the psychologist shall take necessary measures to ensure that no confidential information provided by a third party is disclosed without the consent of that third party, if there is/was an implied or expressed expectation of confidentiality.

10.10 Sharing Client Information Among Healthcare Providers

10.10.1 When rendering a professional service as part of a team, or when interacting with other professionals concerning the welfare of a client, the psychologist shall inform the client about what personal information about the client may be shared with the multidisciplinary team and shall obtain the client's consent before sharing information.

10.10.2 A psychologist shall take reasonable steps to ensure all persons receiving the information are informed about the confidential nature of the information and about the duty of confidentiality owed to the client.

10.11 Protection of Personal Information

10.11.1 When a professional report or other personal information is used as the basis of teaching, research or publication, a psychologist shall prevent disclosure of information identifying an individual.

10.12 Observing and Recording

- 10.12.1 When diagnostic interviews or therapeutic sessions with a client are to be observed by a third party or recorded in a mechanical or electronic manner for audio or visual purposes, the client must provide informed, written consent before the interview or session is held.
- 10.12.2 Psychologists must follow standards around record retention of recorded information in Standard 5 Maintenance and Retention of Records, including but not limited to ensuring storage of recordings, as well as access to recording when releasing information to clients, for the duration of record retention.
- 10.12.3 Recordings (such as video and audio) made strictly for training/supervision purposes by supervisees for their supervisors shall be retained for at least one year and also documented in the paper/electronic file; if paper or electronic documentation of the recorded practice is not deemed to be a duplicate, then these recordings shall follow retention periods in Standard 5.

10.13 Confidentiality after Termination of Professional Relationship

- 10.13.1 After the professional relationship between a psychologist and a client has terminated, the psychologist shall continue indefinitely to treat information regarding the client as confidential.

Standard 11. Representation of Service

11.1 Misrepresentation of Qualifications

11.1.1 A psychologist shall not misrepresent, directly or by implication, the professional qualifications of the psychologist, such as education, experience or areas of competence and shall, in a timely manner, correct misrepresentations of the psychologist's qualifications made by others.

11.1.2 Only a psychologist licensed in the Yukon shall use the titles and abbreviations of these titles as authorized by the *Psychologists Regulation*.

11.2 False or Misleading Information

11.2.1 A psychologist shall not provide, nor permit others to provide, false or misleading information concerning professional services offered by the psychologist.

11.2.2 A psychologist shall not, by means of false, deceptive or fraudulent representation or declaration, either oral or written, attempt to obtain or cause the registration of another person as a psychologist.

11.3 Promoting Transparency and Integrity

11.3.1 A psychologist shall not knowingly aid or abet another person in misrepresenting that person's professional credentials, or registration status under the *Health Professions Act* or its regulations.

11.3.2 A psychologist shall not misrepresent their involvement in professional services, including those provided by others, to obtain gain, financial or otherwise, for themselves or for any other individual group and/or entity.

11.3.3 A psychologist shall not engage in deception, misrepresentation or fraud in any profession related activity, including, but not limited to, assisting others to gain access to the profession, reporting of psychological services/results and billing.

Standard 12. Fees and Statements

12.1 Disclosing Cost of Services

- 12.1.1 Prior to providing a professional service, a psychologist shall ensure that full information is provided to the client about financial agreements including fee structure, fees for missed appointments and bill collection procedures.
- 12.1.2 A psychologist who bills a client directly shall issue an itemized statement of account to the client.

12.2 Retainer Fees

- 12.2.1 A psychologist may request and receive money as a retainer from, or on behalf of, a client, to be used in whole or in part for payment for a professional's service yet to be provided.
- 12.2.2 Retainer monies received by a psychologist shall be deposited promptly in a bank or financial institution, in a separate account which the psychologist shall use only for the deposit of retainer monies.
- 12.2.3 When a psychologist has accepted retainer monies, the psychologist may withdraw funds only for professional services provided as agreed upon, and must, at the termination of the professional relationship, issue an itemized statement of account to the client
- 12.2.4 A psychologist shall issue an interim statement of account at the request of the client.
- 12.2.5 At the termination of the professional relationship between the psychologist and the client, or within sixty (60) calendar days of the last date of the provision of a professional service to, or on behalf of the client, whichever date occurs first, the psychologist shall return to the client, or the person who provided the retainer, the unused portion of the retainer monies.

12.3 Bartering

- 12.3.1 Barter is the acceptance of goods, services, or other non-monetary remuneration from clients in return for psychological services. Registrants may barter only if:

- a) it is not clinically contraindicated; and
- b) the resulting arrangement is not exploitative to the client.

Standard 13. Collaborative Practice

13.1. Collaborative practice refers to practice in which professionals work cooperatively to provide client-centered care, often in multidisciplinary, inter-professional or team practice. When a psychologist works in collaboration with other providers in caring for a client or a group of clients, a psychologist shall:

- (a) explain the psychologist's scope of practice, role and responsibilities to the client and the other providers;
- (b) understand the scope of practice and roles of the other providers;
- (c) document clearly their contribution to the patient's care and ensure they participate in hand-over care to ensure continuity;
- (d) communicate effectively with other members of the healthcare team;
- (e) clarify issues related to responsibility and accountability;
- (f) communicate positively and effectively with all providers and their coworkers;
- (g) treat all other providers and their co-workers with courtesy and respect;
- (h) provide services focused on the values and needs of the client; and
- (i) ensure that the psychologist's contribution to the client's care when working in a team setting is documented.

Standard 14. Duty to Report

14.1 Awareness of Violation or Unprofessional Conduct

14.1.1 A psychologist who knows or reasonably suspects unprofessional conduct or violation of legislation by another psychologist shall take appropriate action, including, if necessary, formal reporting to the Office of the Registrar of Psychologists or other organizations to address or remedy the practice or violation. Such actions must be undertaken within the bounds of confidentiality and respect for the client, each other and the profession. Unprofessional conduct includes, but is not limited to, violating or failing to comply with Section 22 of the *Child and Family Services Act*, these Standards of Practice, the *Psychologists Regulation*, the *Canadian Code of Ethics for Psychologists*, the *Health Professions Act*, or other legislation applicable to the profession.

14.2 Duty to Self-Report

14.2.1 A psychologist must follow all mandatory self-reporting requirements under existing legislation, including, but not limited to:

- (a) any findings made by another regulatory body against them if the psychologist is a member of another regulatory psychological and/ or other professional body within or outside of the Yukon, as soon as reasonably possible, report that finding in writing and provide a copy of the decision, if any, to the Office of the Registrar of Psychologists;
- (b) any investigations, charges, or convictions of a criminal nature against them either in Canada and/or any other jurisdiction as soon as reasonably possible and provide the particulars in writing to the Office of the Registrar of Psychologists;
- (c) any findings of professional negligence against them either in Canada and/or any other jurisdiction as soon as reasonably possible and provide the particulars in writing to the Office of the Registrar of Psychologists.

14.3 Duty to Report a Colleague

14.3.1 A psychologist must report another psychologist to the Office of the Registrar of Psychologists if they have reasonable grounds to believe that the other psychologist's emotional, mental, physical, or cognitive condition(s) and/or behaviour places the public at

risk or constitutes unprofessional conduct as defined by these Standards, the *Psychologist Regulation*, the *Health Professions Act*, the *Code* or any other relevant legislation.

14.3.2 If a psychologist suspects another psychologist or another regulated member has and/or is engaged in behavior that may constitute sexual abuse or sexual misconduct, they must report the conduct of the other regulated member to the Office of the Registrar of Psychologists and follow Section 22 of the *Child and Family Services Act*.

14.4 Duty to Report an Employee

14.4.1 An employer who terminates the employment of a registrant or revokes, suspends or imposes restrictions or conditions on the employment duties of a registrant shall promptly report to the registrar the termination, suspension, or imposition of restrictions or conditions if it was based on a belief, held on reasonable and probable grounds, that:

- (a) the registrant is unfit to continue to practice;
- (b) the actions of the registrant constitute unprofessional conduct or professional incompetence or indicate incapacity; or
- (c) the continued practice of the registrant might constitute a danger to persons in their care.

The above applies also to an employee who resigns or otherwise ceases to remain employed.

Standard 15. Truth and Reconciliation

- 15.1 The profession of psychology in Canada developed in the same political climate and colonial context that gave rise to the residential schooling, forced adoption and other federal policies aimed at the eradication of Indigenous culture and people. Historically, the profession has failed to respect the rights and dignity of Indigenous people by failing to acknowledge over a century of social injustice. To practice psychology responsibly, psychologists must acknowledge the impact that those policies and the profession of psychology has had, both directly and inter-generationally, on the mental health of Indigenous people. Further, psychologists must recognize the value and importance of Indigenous epistemologies and the roles of culture and tradition in the conceptualization of health and healing.
- 15.2 A psychologist shall take steps to understand the current and historical injustices experienced by Indigenous peoples prior to providing services and shall ensure all professional activities are performed in a culturally sensitive and safe manner.
- 15.3 A psychologist shall be familiar [with Psychology's Response to the Truth and Reconciliation Commission of Canada's Report 2018 \(Report\)](#), prepared by the Task Force on Responding to the Truth and Reconciliation Commission of Canada's Report, and apply the Report's Guiding Principles for Working with Indigenous People in Canada when delivering services.

Standard 16. Diversity and Cultural Competency

- 16.1 A psychologist respects the fundamental and inalienable rights/dignity of all persons and peoples. Psychologists shall not engage in and/or promote unjust discrimination that is prejudicial, directly or indirectly, against persons or peoples because of their culture, nationality, ethnicity, colour, race, religion, gender, gender expression, gender identity, marital status, sexual orientation, physical and/or mental abilities, age, socio-economic status or any other status as protected by law.
- 16.2 A psychologist takes into consideration the local and regional differences among multi-ethnic groups and recognizes there are diverse patterns of values, religion, language and politics within these communities.
- 16.3 Psychologists shall obtain and maintain cultural competencies for all individuals and/or communities who access their professional services.

Standard 17. Conscientious Objection

17.1 A psychologist must not impose their own moral beliefs, religious affiliation and/or cultural beliefs when communicating about interventions, treatments, procedures and/or clinical recommendations.

17.2 A psychologist, when faced with circumstances that conflict with their freedom of conscience and religious beliefs, must ensure those seeking psychological services are offered timely access to:

17.2.1 a psychologist who is willing to provide the service; and/or

17.2.2 a resource that will provide accurate, objective information about all available treatment options.

Standard 18. General

18.1 Fulfilling Terms of Agreement

18.1.1 A psychologist shall fulfill the terms of an agreement with a client and shall produce required psychological reports or complete documentation in a timely manner.

18.2 Limitations Affecting Assessment or Opinion

18.2.1 A psychologist shall include in the explanation of results of an assessment, or the provision of opinion, circumstances that limit the validity, reliability or interpretation of the results.

18.3 Responding to and Cooperating with the Office of the Registrar of Psychologists or Complaints Officer and Discipline/Inquiry Committee

18.3.1 Within thirty (30) calendar days of receiving a written or verbal inquiry or request from the Office of the Registrar or the Complaints Officer, whichever initiated the inquiry, or within such other period requested by the Office of the Registrar or the Complaints Officer, a psychologist shall provide a detailed written or verbal response including all relevant documentation and information. During any complaints process, including but not limited to the investigation, and hearing, the psychologists must answer all of the Office of the Registrar or the Complaints Officer's questions in a complete and honest fashion.

18.4 Adhering to Restrictions Imposed by the Office of the Registrar of Psychologists or Complaints Officer

18.4.1 A psychologist shall adhere to restrictions regarding their practice imposed by the Office of the Registrar or the Complaints Officer and report violations of these restrictions to the Office of the Registrar or the Complaints Officer, whichever body imposed the restrictions.

18.5 Adhering to Legislation

18.5.1 A psychologist shall abide by the *Health Professions Act*, the *Canadian Code of Ethics for Psychologists*, the *Psychologist Regulation*, these Standards of Practice, and all other applicable legislation.