

## Interjurisdictional Telecounselling (Canada)

<b>Policy #</b> <b>P-03.0</b>	<b>Approved</b> January 2023	<b>Authority</b> Board of Directors	<b>Responsibility</b> <ul style="list-style-type: none"> <li>• EDR</li> <li>• Complaints Committee</li> </ul>
<b>Related Policy &amp; Procedures</b>	<b>Amendments</b>	<b>Supporting Legislation/Regulation/By-Laws</b>	

### Policy

Licensed registrants of the College are permitted to provide telecounselling services to clients who reside in Canadian jurisdictions outside of Nova Scotia.

The NSCCT maintains jurisdiction and regulatory oversight of all Registered Counselling Therapists (RCTs) and Registered Counselling Therapist-Candidates (RCTs) regardless of **where** (i.e., physical location) or **how** (i.e., in-person or via telecounselling) they deliver counselling therapy. In the context of telecounselling, NSCCT interprets "service delivery" or "practice" as occurring in the jurisdiction *where the counselling therapist is registered*.

Accordingly, counselling therapists/psychotherapists registered and licensed to practice by a regulator elsewhere in Canada are permitted to deliver telecounselling services to clients in Nova Scotia without the requirement to register with NSCCT.

Counselling therapists/psychotherapists from other *regulated* Canadian jurisdictions who provide telecounselling services to clients located in Nova Scotia, must comply with the registration/licensing requirements, standards of practice and code of ethics in effect in the province where they are registered and licensed.

Persons offering telecounselling services from *non-regulated* provinces *cannot* offer services to Nova Scotians using the protected titles of: "Counselling Therapist," "Registered Counselling Therapist" (or "RCT"), "Registered Counselling Therapist – Candidate" (or "RCT-C"), or describe, characterize or advertise services as "counselling therapy."

**Note:** It is the sole responsibility of each NSCCT registered/licensed counselling therapist who intends to provide interjurisdictional telecounselling services, to ensure that their liability insurance coverage extends to counselling out-of-province clients via telecounselling.

### **Teleconferencing Platform**

Registrants providing telecounselling services are responsible for conducting themselves according to relevant articles of the CCPA *Code of Ethics* (2020) and the CCPA *Standards of Practice* (2021), and for ensuring that any and all electronic communication platforms used for telecounselling activities 1) are secure and compliant with the *Personal Information Protection and Electronic Documents Act* (PIPEDA), and 2) are hosted on servers housing data exclusively within Canadian jurisdiction.

### **Complaint Management**

Complaints against an NSCCT registered/licensed counselling therapist which involve teleconferencing services in another *regulated* province, may, at the discretion of the EDR, be referred to the authority of the host jurisdiction. This option is made available in order to, 1) avoid complications from having two investigations, two hearings, and potentially having two disparate outcomes, and 2) facilitate cooperation between regulators in the complaint process.

Complaints received regarding teleconferencing services provided by licensed registrants of the College to clients in a *non-regulated* province, will be investigated and reviewed exclusively by NSCCT.

### **Practice Expectations**

1. NSCCT licensed RCTs and RCT-Cs providing telecounselling services outside of Nova Scotia shall:

- advise clients that the counselling therapist is located in Nova Scotia, that they are licensed and regulated by NSCCT, and provide the website, email and phone number of the College.
- obtained confirmation from the regulator of the province in which the client resides, that their rules permit you to provide teleconferencing services in their province. And that you abide by any guidelines or limitations they set your practice in their province, unless these conflict with the Standards of Practice or Code of Ethics prescribed by NSCCT.
- practice teleconferencing as an RCT-C only with the clear agreement of the candidacy supervisor
- ensure that their liability insurance covers telecounselling services offered outside of Nova Scotia

- ensure that the platform used for telecounselling is PIPEDA compliant and that servers are located in Canada

**Note:** The College cannot recommend or provide advice on the suitability or use of any particular platform.

**2.** Licensed counselling therapists/psychotherapists from *regulated* provinces outside of Nova Scotia wishing to provide telecounselling services to clients resident in Nova Scotia are expected to:

- advise the client of where they are located and the name, website, email and phone number of the regulator in their home jurisdiction.
- be aware of, and comply with, federal laws (e.g., PIPEDA) requiring the use of a compliant telecounselling platform, and ensure that the server is located within Canada.
- ensure that their liability insurance coverage extends to counselling out-of-province clients
- abide by the Code of Ethics and Practice Standards of their regulator

**3.** Persons not registered and licensed with a provincial regulator are prohibited from providing telecounselling services to clients resident in Nova Scotia **using the protected titles of:** “Counselling Therapist,” “Registered Counselling Therapist” (or “RCT”), “Registered Counselling Therapist – Candidate” (or “RCT-C”), or describing, characterizing or advertising services as "counselling therapy."

### **Purpose**

To help ensure the protection of clients residing outside of Nova Scotia who are receiving telecounselling services from a licensed registrant of the College.

To clarify the requirements of safe, competent and ethical practice in the context of telecounselling services offered outside of Nova Scotia.