

SECRÉTARIAT GÉNÉRAL

Interjurisdictional practise of the profession



Stéphane Beaulieu
Psychologue

Secrétaire général
sbeaulieu@ordrepsy.qc.ca

Telepsychology skyrocketed during the pandemic as professionals scrambled to find alternative ways to deliver psychological services. Only a few short years before, psychologists had begun reaching out to the Ordre des psychologues for permission to provide remote services to their clients. How times have changed! Delivering remote services has become part of the mainstream, and psychologists have come to view it as a viable solution.

Still, some questions remain. For instance, what happens when a psychologist based in Quebec wants to provide remote services to someone who lives out of province, or even out of the country? Do you need to hold a license in the jurisdiction where the client is located, even if you do not physically travel there? What about Quebec psychologists who reside outside of Quebec for short or extended periods of time?

This article provides examples and answers to some of those questions below.

Psychologists located in Quebec who provide services to out-of-province clients

Many psychologists have asked us to clarify the rules governing remote services to clients who live outside of Quebec. Here is an example to illustrate the problem:

1. "A year ago, I began providing psychotherapy services to a client in Quebec. The client is moving to Ontario for six months because of work and wishes to continue their sessions with me. Am I authorized to continue delivering services through videoconferencing during that time?"

With telepsychological services, a new factor comes into play: in which location are the services deemed to be provided? If the client is at home and the psychologist is at their office, are services being delivered where the client is located, or the psychologist? In other words, do we interpret this as the psychologist travelling virtually to the client's location, or the other way around? If both are in Quebec, the question becomes moot. It's a completely different story if the psychologist is in Quebec, but the client is temporarily or permanently out of province because of travel, work, or studies.

Note that in most jurisdictions in Canada and the United States, Professional Boards consider that remote services are provided where the client is located.¹ Accordingly, the psychologist is considered to have travelled virtually to the jurisdiction where the client is located, even if the psychologist never physically enters that jurisdiction and the services are provided entirely remotely by means of a videoconferencing platform. These jurisdictions require that the psychologist obtain a license (or legal authorization to practise) before providing remote services to someone located in that jurisdiction.

Psychologists located outside of Quebec

What happens when a psychologist registered in Quebec is physically located in another jurisdiction? Here are two examples.

- "I plan on spending six months in the United States and I would like to continue offering services to my Quebec clients via Zoom. Am I authorized to do so?"
- "I provide psychological services to members of a sports team that spends two months training in California. I plan on travelling with them to the United States. Can I continue to offer them my services as a Quebec psychologist? Do I need to hold a license from the state of California?"

In both cases, these are temporary relocations. Services began while both the psychologist and the clients were in Quebec and will continue while the psychologist travels outside of Quebec. If you are registered as a Quebec psychologist (as is generally the case), you continue to offer your services in this capacity. You must therefore maintain your membership with the Order in good standing. However, since the services will be offered in another jurisdiction, you must verify what applicable requirements may be in place in that jurisdiction. These requirements must be respected even if you are providing services

Table 1

Requirements for the remote delivery of services: Psychologists in Quebec providing services to an out-of-province client

Psychologists must have a permit issued by the Ordre des psychologues du Québec and be a regular member in good standing.

It is up to you to verify whether you are required to obtain a permit, license or legal authorization to practise from the regulatory body of the jurisdiction where the client is located, even if you are not physically located there. You must also meet any legal requirements that prevail in that jurisdiction.

Psychologists must maintain professional liability insurance coverage in accordance with the regulations of the Ordre des psychologues du Québec (Bernard et Fabien - Intact Assurance).

You must inform your client that the liability insurance offered by the Ordre des psychologues du Québec only covers claims filed in Canada.

You are also required to inform your client that they may report any concerns or complaints about remotely provided services to the Ordre des psychologues du Québec, even if they are not in Quebec at the time the services are provided.

exclusively to Quebec clients, whether remotely if the clients are located in Quebec, or in-person or remotely if the clients are located in the same jurisdiction as you at the time.

Psychologists not registered as members of the Order

Psychologists physically located in another jurisdiction who no longer wish to offer services as a Quebec psychologist are not required to maintain their membership with the Order. This is typically the case for psychologists who move to another jurisdiction permanently or for a prolonged period of time.

4. “My partner was transferred to British Columbia. We will be moving soon and I don’t plan to return to Quebec for at least three years. We may settle in that province permanently. I have taken steps to obtain a professional license in British Columbia.”

In the above example, the psychologist has the choice to remain a member of the Order or resign from the Order temporarily or permanently. To continue to offer remote services to people in Quebec, the psychologist can choose to be registered in Quebec, in British Columbia, or both. Table 2 outlines the requirements for psychologists who wish to remain registered in Quebec.

Canada and the United States

In Canada, all provinces except Quebec, New Brunswick and Nova Scotia³ have policies regulating the temporary remote delivery of services by out-of-province psychologists to individuals in their jurisdictions.⁴ The requirements vary from province to province. Authorization typically comes in the form of a temporary courtesy license granted exclusively for remotely delivered services. As of this writing, the Association of Canadian Psychology Regulatory Organizations (ACPRO) is drafting a guide detailing the requirements for each province. Psychologists wishing to provide remote services to clients in another province should consult the ACPRO website or contact the professional order in the province where those clients may be situated. A list of Canadian regulatory bodies is available on the ACPRO website.

Table 2

Requirements for the remote delivery of services: Psychologists located outside Quebec who wish to continue practising as Quebec psychologists²	
The client is located in Quebec	The client is located outside of Quebec
The psychologist must have a permit issued by the Ordre des psychologues du Québec and be a regular member in good standing.	The psychologist must have a permit issued by the Ordre des psychologues du Québec and be a regular member in good standing.
It is up to you to verify whether you are required to obtain a permit, license or legal authorization to practise from the regulatory body of the jurisdiction in which you are located, even if you plan to exclusively offer remote services to clients located in Quebec. You will also need to meet any legal requirements that prevail in that jurisdiction.	It is up to you to verify whether you are required to obtain a permit, license or legal authorization to practise from the regulatory body of the jurisdiction in which you are located, whether you intend to provide in-person or remote services. You will also need to meet any legal requirements that prevail in that jurisdiction.
Psychologists must maintain professional liability insurance coverage in accordance with the regulations of the Ordre des psychologues du Québec (Bernard et Fabien - Intact Assurance).	Psychologists must maintain professional liability insurance coverage in accordance with the regulations of the Ordre des psychologues du Québec (Bernard et Fabien - Intact Assurance).
You must inform your client that the liability insurance offered by the Ordre des psychologues du Québec only covers claims filed in Canada.	You must inform your client that the liability insurance offered by the Ordre des psychologues du Québec only covers claims filed in Canada.
You are also required to inform your client that they may report any concerns or complaints about remotely provided services to the Ordre des psychologues du Québec, even if you were not in Quebec at the time you provided the services.	You are also required to inform your client that they may report any concerns or complaints about in-person or remotely provided services to the Ordre des psychologues du Québec even if neither of you were in Quebec at the time you provided the services.

In the United States, individual states are responsible for regulating the provision of psychological services in their jurisdiction. To our knowledge, all U.S. states require some form of registration before delivering remote services. A list of regulatory bodies in Canada and the United States is available on the Association of State and Provincial Psychology Boards website. If you wish to provide remote services in a U.S. state, contact the regulatory agency of the state where your client is located.

We hope you have found this article useful. Contact the Office of the Secrétaire général of the Order at secretariatgeneral@ordrepsy.qc.ca for more information about the delivery of interjurisdictional psychology services. ■

FOOTNOTES

1. With the exception of Quebec, New Brunswick and Nova Scotia, Canadian provinces consider the psychologist’s services to have been delivered in the jurisdiction where the client is located.
2. The conditions in Table 2 apply only to registered Quebec psychologists.
3. These three provinces do not require psychologists who are not physically located in their jurisdiction to obtain legal authorization to practise.
4. For periods extending beyond the temporary time limit, the provinces require that the psychologist be registered or licenced in that jurisdiction, as per the Canadian Free Trade Agreement (CFTA). In most provinces, this process includes an ethics exam and English language proficiency requirements.