



THE ASSOCIATION OF  
COUNSELLING THERAPY  
OF ALBERTA

*Protecting the Public, Together*

## FAQ's

# New Direction for Regulation of Counselling Therapists in Alberta

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### **Why do counselling therapists need to be regulated under the Health Professions Act (HPA) in Alberta?**

The purpose of regulating health professions under the HPA is public safety. Without regulation, there are no minimum education or competency requirements to practice, no mandated standards of practice/code of ethics, and no mechanism to file complaints, which poses serious harm to the public. Regulatory colleges can, if necessary, place limitations on practice permits or have professionals removed from health care professionals.

Currently, counselling therapists may belong to professional associations that have provided a voluntary oversight framework in an unregulated environment. However, associations' primary mandate is to serve their members' professional interests. Under the HPA, self-regulatory colleges are granted authority and responsibilities to serve the public interest.

The counselling therapy profession is a health service that requires distinct training, competencies, and adherence to standards of practice and ethics to ensure no harm to the public.

### **What is the current pathway for regulating counselling therapists in Alberta?**

For the last six years, the Association of Counselling Therapists of Alberta (ACTA) has worked at the behest of the Government and legislation to regulate counselling therapists, addiction counsellors, and child and youth care counsellors under the College of Counselling Therapy of Alberta (CCTA).

On March 1, 2024, the government announced its new plan to regulate the counselling profession within an existing regulatory college, the College of Alberta Psychologists (CAP), rather than establishing a separate College (CCTA). As part of this plan, in spring 2024, a legislative amendment will be put forward and, if passed, would repeal Section 29 of the Mental Health Services Protection Act. ACTA and CAP have both recommended the legislation not be repealed until new legislation to regulate counselling professionals is ready to be enforced; nevertheless, it is ultimately the Government's decision.

ACTA supports the new direction for regulating counselling therapists and acknowledges the Government's preference to have newly regulated professions regulated within existing colleges

in the HPA. While this direction adds significant delay to regulation compared to simply proclaiming the legislation and approving the draft regulation, it is a viable path forward that ACTA will support in the interest of finally regulating the profession in the public interest and building off the work already done.

### **What is ACTA's role now that it will not become the CCTA?**

ACTA's mandate to establish regulation of the counselling therapy profession in Alberta has not changed. Despite ACTA no longer having the opportunity to become the CCTA, there is still much work for ACTA to do in partnership with CAP and the Government to establish regulation of counselling therapists in Alberta.

Since the government's announcement, ACTA has been focusing significant resources on communicating information and supporting our registered counsellors, including child and youth care counsellors and addiction counsellors, who do not currently have a path forward to regulation. Moving forward, ACTA will continue to maintain the membership register and other activities that ensure the profession sustains the current state of readiness for regulation in Alberta.

ACTA has met with CAP and Alberta Health; initial conversations have been positive and collaborative. We are currently prioritizing compiling information regarding ACTA's readiness for regulating counselling therapists with CAP, including the registration system, financial readiness, and foundational work-to-date, which will be reviewed with CAP and Alberta Health and help establish the next steps.

### **What does this mean for the regulation of Child and Youth Care Counsellors (CYCC) and Addiction Counsellors (AC) in Alberta?**

CAP has confirmed that it has agreed to assume responsibility for developing a potential pathway for the regulation of graduate-trained counselling therapists in Alberta. Unfortunately, this does not currently include addiction counsellors and child and youth care counsellors. CAP has indicated they may explore expanding their regulatory college further with additional professions much later, which is very uncertain and not in the near the future.

ACTA's completed foundational work to regulate the professions of CYCC and AC belongs to these professions for future use. This work includes standards of practice, a code of ethics, drafted regulation, the scope of practice, entry-to-practice competency frameworks, supervision guidelines, development work for the competency exam with COMPASS, grandparenting assessment frameworks, and drafted frameworks for registration post-proclamation.

The Child and Youth Care Counsellor Association of Alberta (CYCAA) has supported and advanced the regulatory work for Child and Youth Care Counselors in Alberta for decades. With the Government's announcement on March 1, 2024, they recognized that they needed their volunteers and resources to focus on CYCAA advocacy of the profession. Therefore, there will no longer be CYCC Directors on the ACTA Board. ACTA will work with CYCAA to transfer all of the completed work for regulation for their future use.

Since there is currently, no association for Addiction Counselors in Alberta, ACTA will hold the completed work for regulation for ACs. This work will be transferred over should there be a regulatory path in the future or if an Alberta Addiction Counselor Association develops.

## What is a Counselling Therapist?

In their practice, counselling therapists do one or more of the following: (a) within a counselling relationship, assess, guide, support and treat individuals or groups of individuals to enhance, maintain and promote health and wellness; (b) engage in education with respect to the practice of counselling therapy; (c) engage in research related to the practice of counselling therapy; (d) provide restricted activities authorized by the regulations.

The therapeutic counselling process is characterized by the application of clinical assessment and evidence-based methodologies to enhance mental, emotional, relational, and spiritual well-being, and to support safety and change within a defined therapeutic counsellor-client relationship. Counselling therapists utilize a diverse range of modalities and expertise to address client issues related to trauma, addiction, grief, relationships, personal growth, career development, and so forth. Counselling therapists work with adults, adolescents, children, couples, families and groups. They provide culturally appropriate and competent care in alignment with their standards of practice and code of ethics.

Counselling therapists commonly hold a master's degree in counselling, counselling psychology, psychology, psychotherapy, or a related field, with some having a doctoral degree. Due to Alberta's unregulated environment, there are counselling therapists who have acquired their competencies through diverse avenues and levels of education, training, experience, and supervision.

## How will regulating counselling therapy impact the public's access to services?

Counselling therapists are already providing critical mental health services throughout Alberta. The goal would be to ensure that the current counselling therapy workforce can continue to provide these services with enhanced safety mechanisms and accountability for public protection.

### **Potential Positive Impact to Improve Access:**

Most third-party insurance providers, such as employer benefits plans and Non-Insured Health Benefits for First Nations and Inuit, will only cover regulated professionals. Regulation will also mean that Albertans can claim their expenses for counselling therapy services as eligible health expenses through the Canadian Revenue Agency (CRA) income tax system. The *2023 Federal Fall Economic Statement* proposes removing GST requirements from "Counselling Therapy" and "Psychotherapy" health services. The regulation of the Counselling Therapy title in Alberta would ensure that those living in Alberta do not have to pay GST unfairly for this health service. Finally, Regulated counselling therapists would also be eligible to fill vacant positions in health care, reducing mental health counselling vacancies throughout Alberta.

### **Potential Negative Impact that Could Decrease Access:**

Inadequate grandparenting would restrict access to critical counselling services and create an environment with unequal protection for the same health service. It is in the public interest to regulate current professionals who have acquired a minimum level of competency through diverse avenues of education, training and supervision. Through grandparenting, the regulator identifies minimum standards of education, training and supervision that are different from the regular route into the college, but sufficient to determine if the minimum standards for competence have been met. These professionals are then subject to a continuing competency program under which the regulator can mandate some education related to jurisprudence, ethics

and Indigenous competence. The public will also have the means to register complaints, and the regulator can limit or cancel their practice permit if needed.

### **What does it mean for counselling therapists to be regulated by CAP?**

Counselling therapists have been advocating, preparing, and funding self-regulation of the profession in the interest of public safety for decades. Counselling therapists will retain their professional identity and scope of practice within CAP, consistent with their profession across Canada. As a distinct health profession, counselling therapists have a role in self-regulation. ACTA has completed foundational work, integrating counselling therapists' perspectives from 11 differing counselling associations and maintaining professional national alignment for labour mobility. ACTA is working with CAP and the Government to build off this work in regulating counselling therapists within CAP.

Counselling therapists and psychologists are two separate professions—not a tiered profession. The HPA clearly outlines that all regulated members of the college must have the same rights and duties as the existing regulated members of the college. Both professions could benefit from regulatory synergies, and the increased membership could provide more resources for the expanded college.

### **What are the similarities and differences between a Counselling Therapist and a Psychologist?**

Counselling therapists and Psychologists are equal but different professions. In Alberta, both counselling therapists and psychologists are generally educated at a postgraduate level. However, as previously stated, due to Alberta's unregulated environment, some counselling therapists currently in practice have acquired their competencies through diverse means of education, training, and supervised practice.

Counselling therapists and psychologists have an overlapping scope of practice, particularly when they work in a common area of clinical practice. The distinct difference between psychologists and counselling therapists is that some psychologists have specific education requirements, supervision, and experience in formal assessment and diagnosis. Psychologists and counselling therapists will retain their unique professional identities as each will be regulated as distinct health professions within CAP.

### **What will the counselling therapy route be in CAP?**

This must be developed in collaboration with CAP, Alberta Health, and ACTA. The details will be released when they are available. The Government has stated in their press release that the current legislation will be repealed this spring and the new legislation for CAP to regulate counselling therapists is anticipated to be established and voted on in the fall of 2024. However, CAP and ACTA are both recommending to the government to delay repealing the current legislation to regulate counsellors until the new replacement legislation is ready to be enacted.

The standard education route for counselling therapists across Canada is a graduate degree in counselling therapy that meets the profession's competency framework. Under the HPA, a substantial equivalence process will also need to be established. Additionally, all health profession regulations in the HPA also include entrance routes for labour mobility to ensure regulated counselling therapists/psychotherapists from other provinces must be able to register for the same profession throughout Canada.

In addition to meeting the educational requirements, psychologists in CAP must also pass examinations and complete provisional hours of practice with supervision to be fully registered. Similarly, once counselling therapists' regulations are proclaimed, they will likely be required to take a competency exam and complete provisional supervised hours of practice to be fully registered.

### **When will CAP regulate Counselling Therapists?**

The government has stated that the projected date for regulating counselling therapists in CAP is 2025. CAP's most recent response regarding the timeline is that they have only begun their evaluation phase. They are not prepared to commit to a specific timeline before this evaluation is complete and they have acquired the necessary resources.

### **Will current Counselling Therapists be grandparented into CAP?**

The purpose of regulating counselling therapy is to reduce the risk to those receiving the services today and into the future. *Future risk* is mitigated by upholding the education and training standards set today for those entering the field. *Current risk* is only reduced by grandparenting counselling therapists working in the field today who have acquired the minimum competencies to practice. This risk is reduced in numerous ways, including requiring all grandparented professionals to adhere to standards of practice, a code of ethics, and a continuing competency program. The college can also mandate education related to jurisprudence, ethics and cultural competence. Furthermore, current risk is reduced by ensuring the public has an avenue to register complaints about current practitioners, and the regulator can limit or cancel their practice permit if needed.

It has been customary that when a new profession is regulated, the education standards set for those newly entering the field are not to be applied retroactively to the current workforce. This would restrict professionals who have acquired competence in the profession through diverse education, training, and supervision in a pre-regulated context from continuing to serve the public. It is essential that the public continue to receive and access these counselling services with the protections provided under the HPA.

Typically, the grandparenting process is intended to be time-limited. As with all professions that become regulated, over time, there will be less diversity in how competency for counselling therapy is obtained in Alberta.

CAP has stated they are reviewing the legal and regulatory obligations related to grandparenting existing ACTA counselling therapist members. CAP has advised ACTA to advise potential new association members that registration grandparenting cannot be guaranteed until the minimum entry-to-practice academic criteria are established. Taken together, it is clear that further work and clarity are needed regarding grandparenting the profession. This is a sudden new direction, and CAP is working through many variables with Alberta Health and ACTA.

As ACTA's attestations and acknowledgments indicate, there is no guarantee that registered counselling therapists in ACTA will be grandparented into CAP. ACTA has individually assessed the registrants of ACTA as the safe and competent workforce for the profession in Alberta. As such, ACTA maintains that these counselling therapists should be ported into CAP. However, CAP will need to independently assess the grandparenting requirements used by ACTA to identify the competent workforce and make the final determination.

## **What will the registration fee be for Counselling Therapists within CAP?**

The profession is responsible for funding self-regulation. CAP will need to establish the appropriate fees to cover the costs of regulating counselling therapists, but for reference, the psychologist's annual fees in CAP are \$900/year.

## **Why is it important for ACTA to continue to sustain and build its membership?**

ACTA has a vital role to play in regulating counselling therapists within CAP, even though ACTA will not become the CCTA. ACTA is committed to continuing to collaborate with CAP and Alberta Health, implementing the voice of the profession toward self-regulation, and supporting the work still to be done within CAP. The government's political will is significant in regulation, and it is important to ensure that the decisions being made for counselling therapists represent the profession's distinct identity and national alignment.

It is vital that the profession remains involved in self-regulation. ACTA is the recognized collective voice of the profession on behalf of regulation and is committed to carrying this work to the finish line. ACTA is currently working on demonstrating the profession's readiness to regulate within CAP, which includes a registry of counselling therapists in good standing and the financial feasibility of continuing to support regulation within CAP.

Registration with ACTA continues to be voluntary and a personal choice. Counselling therapists are renewing their ACTA memberships for different reasons, including to financially support the work of ACTA at this critical time, to have their voice included in regulatory decisions of their profession, to demonstrate readiness to be a self-regulated health professional, and to continue to raise awareness of the urgent need for regulation and commitment to reasonable timelines. While ACTA could guarantee that its members would become the first registrants of the CCTA if the Government were to proclaim the legislation, there is currently no guarantee that registration with ACTA will result in being ported into CAP. However, ACTA is committed to working with CAP to create pathways for registrants to enter CAP once there is new legislation, regulations, and government proclamation.

## **Is ACTA accepting new members?**

ACTA temporarily paused registration after the government announcement on March 1, 2024, to gather information about the situation, determine the next steps, and clarify ACTA's role moving forward. ACTA plans to reopen registration for counselling therapists in late April once we have finished processing membership renewals. More information will be coming soon.

## **Are there any refunds for the fees paid to ACTA toward regulation and the CCTA?**

Over the last five years, ACTA has worked in good faith at the behest of Government and Legislation, preparing to become a regulator under the HPA. ACTA has continuously advised members that it could not guarantee when or if the Government would proclaim the CCTA and that there was no guarantee any fees collected could be refunded. As stated on member applications and renewals, ACTA has utilized application and registration fees for the operating costs of ACTA, advocacy for regulation in Alberta, and development costs of regulation in the CCTA. ACTA will continue to work with the Government of Alberta to collaborate in establishing regulation for counselling therapists within CAP. It is not able to refund any fees paid for membership in ACTA even though it will not transition to being the CCTA.

In addition to the application and membership fees, some members paid their first year of registration fees for the CCTA in advance. This was done in good faith to support the development of the CCTA and ACTA's legislated mandate. Currently, we have no information as to whether or not CAP will honour any arrangements set to be honoured by the CCTA.

**Should counselling therapists maintain membership and certifications in other associations if they will be regulated by CAP?**

Associations and certifications play a distinct role that is different from regulation. It is generally considered best practice to be both regulated, which protects and serves the public, and belong to professional associations and certifications that advocate for your professional interests, support professional development, and offer liability insurance. That said, colleges cannot require membership in associations, and so this is a personal and voluntary choice.

**Are the other 11 counselling therapy associations continuing to support ACTA in this transition?**

Yes, the groundwork ACTA completed toward regulating the profession was done collaboratively with the 11 associations representing counselling therapists in Alberta and nationally. They continue to support ACTA's role in establishing regulation in Alberta. As always, ACTA is committed to maintaining a regulator's mindset, aligning perspectives to the HPA, and supporting the profession's transition towards self-regulation.

**Will regulation change the fees Counselling Therapists charge for their services privately or the salaries employers pay them?**

Regulatory colleges have no role in the fees professionals charge or their salaries. The HPA indicates that "A college may not set professional fees, provide guidelines for professional fees or negotiate professional fees on behalf of some or all of its regulated members (HPA, College's Role, Section 3 (2)). The purpose of regulation is to protect the public.