

# Module 2: Legal & Regulatory Framework

## Learning Objectives

By the end of this module, learners will be able to:

1. Understand licensing requirements for healthcare and behavioral professionals in Ontario and selected U.S. states.
  2. Learn franchise disclosure rules in Canada (Ontario and Quebec) and the U.S.
  3. Comprehend privacy laws (PHIPA in Ontario, HIPAA in the U.S.) applicable in clinical and telehealth settings.
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## Content

### 1. Licensing Requirements

#### Canada – Ontario

- **Psychotherapists:**
  - Regulated by the **College of Registered Psychotherapists of Ontario (CRPO)**.
  - Must meet education, supervision, and registration requirements.
  - Protected title: *Registered Psychotherapist (RP)*.
- **Life Coaches:**
  - Not a regulated profession in Ontario.
  - No legal requirement for licensing, but cannot provide psychotherapy unless licensed.
- **Registered Behavior Analysts (RBA/BCBA):**
  - Must be **board-certified (BCBA)**; regulated by **Behavior Analyst Certification Board (BACB)**.
  - Ontario law requires compliance with health privacy laws (PHIPA) when

working with clients.

- **Psychologists:**

- Regulated by **College of Psychologists of Ontario (CPO)**.
- Must have a doctoral degree, supervised practice, and registration.

### **United States – Selected States**

<b>Professional</b>	<b>California</b>	<b>Texas</b>	<b>Arizona</b>	<b>New York</b>	<b>Florida</b>	<b>Colorado</b>
Psychologist	Licensed by <b>BOP</b>	Licensed by <b>TBP</b>	Licensed by <b>AZBOP</b>	License d by <b>NYSED</b>	Licensed by <b>FBOP</b>	Licensed by <b>CBOP</b>
Psychotherapist	Licensed as <b>MFT/LPCC</b>	LPC/LMFT	LPC/MFT	LCSW or LMHC	LMHC/LPC	LPC/LMFT
Life Coach	Not regulated	Not regulated	Not regulated	Not regulated	Not regulated	Not regulated
RBA / BCBA	Must follow BACB & HIPAA	BACB & HIPAA	BACB & HIPAA	BACB & HIPAA	BACB & HIPAA	BACB & HIPAA

### **Key Notes:**

- Telehealth provision must comply with **state licensure laws**; clinicians cannot provide services across state lines without proper licensure.
- Cross-border services (Canada ↔ U.S.) require compliance with both countries' privacy laws.

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## **2. Franchise Disclosure Requirements**

- **Canada**

- **Ontario & Quebec:**

- Franchisors must provide a **Franchise Disclosure Document (FDD)** at least **14 days** before signing agreements.

- Must include financial statements, litigation history, and franchise obligations.
- **U.S.**
  - Governed by **Federal Trade Commission (FTC) Franchise Rule**.
  - Disclosure must be provided **14 days** before contract execution.
  - State-specific rules may add additional requirements (e.g., California, New York).

**Reference:** International-Franchising.com (n.d.)

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### 3. Privacy Laws in Clinical & Telehealth Settings

- **Ontario – PHIPA (Personal Health Information Protection Act)**
  - Protects personal health information in healthcare settings.
  - Applies to psychotherapists, psychologists, and RBAs when handling health information.
  - Key requirements: consent, secure storage, limited disclosure, and breach reporting.
- **United States – HIPAA (Health Insurance Portability and Accountability Act)**
  - Applies to healthcare providers, psychologists, RBAs in clinical settings.
  - Covers electronic health records (EHR), telehealth communications, and patient privacy.
  - State laws may impose stricter privacy protections.
- **Telehealth Compliance Standards**
  - Secure platforms for video calls and data storage.
  - Client consent for telehealth services.
  - Policies for confidentiality, emergency procedures, and recordkeeping.

