

Under the *Chiropractic Act, 1991*  
Approved by Council: September 19, 1994

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*Note to Readers: In the event of any inconsistency between this document and the legislation that affects chiropractic practice, the legislation governs.*

### Definition

1. It is a conflict of interest for the purpose of section 1 (9) of the professional misconduct regulation for a member to engage in a relationship or arrangement as a result of which the member's personal interests could improperly influence his/her professional judgment or conflict with his/her duty to act in the best interest of patients.
2. For the purpose of this section, a "related person" means a person related to the member by blood, marriage or adoption, or by living with the member in a conjugal relationship outside of marriage.
3. Without limiting the generality of section 1, it is a conflict of interest for a member or a related person or a corporation in which the member or a related person has an interest, to:
  - receive a rebate, gift or benefit from a supplier of health care products or services or from a health professional or practitioner to whom the member refers patients;
  - accept credit from a supplier of health care products or services or from a health professional or practitioner to whom the member refers patients unless the terms of credit provide a reasonable time for repayment and a reasonable rate of interest;
  - refer a patient to a supplier of health care products or services in which the member has a financial interest unless the member discloses the interest to the patient and offers to refer the patient to suppliers with whom the member has no financial interest; and
  - sell a product to a patient for more than the cost to the member plus a reasonable dispensing fee.

### Self Referral

Self referral is a term used to describe a member's referral of patients to facilities, services or suppliers in which the member has any interests or gains any benefit. A member may undertake self referral provided that:

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- the member has assured his/her patient that his/her choice of facilities, services or suppliers will in no way affect the quality of the health care services provided by the member;
  - the member has disclosed his/her interest to his/her patient when making a referral;
  - access to comparable services or necessary products or devices is not reasonably possible for the patient or cannot be arranged for the patient;
  - the member has explored other sources as reasonably as possible and informs his/her patients that he/she has an option of using any of the alternative facilities, services or suppliers; and
  - information about the referral will be disclosed to the CCO upon request.

### Research

Any member who proposes to include a patient receiving chiropractic services in a clinical research project shall obtain an appropriate consent, and shall allow the patient to withdraw at any time without compromising the continuing health care of the patient.