

GUIDELINES FOR MEMBERS CONCERNING OFFICE STAFF



Guideline G-005

Patient Relations Committee

Approved by Council: July 6, 1996

Amended: June 27 and October 14, 2000, September 21, 2010, September 28, 2012, February 11, 2014, September 15, 2016

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

INTENT

To provide guidelines to members related to supervision of their office staff on issues such as communication with patients, the use of gowns, language used with patients, confidentiality of personal health information and disclosure of professional fees.

DESCRIPTION OF GUIDELINE

It is recommended that a member review this guideline with his/her office staff and ensure staff comply with the provisions of this guideline. A member is responsible for the actions of his/her office staff and must ensure that any act delegated to office staff is performed in accordance with CCO regulations, standards of practice, policies and guidelines.

Note: For the purposes of this guideline, “staff” does not refer to another member of CCO, a member of another Ontario regulated health profession, or a student of an accredited chiropractic program working under the supervision of a member. See Policy P-050: Supervision and Direction of Chiropractors in Training.

Office Staff

Members are reminded that they are responsible for the supervision and are ultimately responsible for the actions of their office staff, and shall adhere to the following procedures when delegating to staff:

- A member may not delegate to staff the performance of any controlled acts under the *Chiropractic Act, 1991*, subject to any exceptions of the *Regulated Health Professions Act, 1991*. The *Regulated Health Professions Act, 1991*, s. 29 allows delegation of a controlled act under certain circumstances, such as a student fulfilling the requirements to become a member of a health profession and the act is within the scope of practice of the profession and is done under the supervision or direction of a member of the profession. Please see Policy P-050: Supervision and Direction of Chiropractors in Training for more information.

Guideline G-005: Guidelines for Members Concerning Office Staff

- A member shall ensure he/she only delegates to staff responsibilities within the chiropractic scope of practice, and consistent with CCO legislation, regulations, standards of practice, policies and guidelines. A member must ensure that staff is competent and properly trained to perform the act.
- A member shall ensure that staff does not offer health care or treatment/care advice to patients, except as directed by the member, including but not limited to in-person, on the phone or through electronic communication. It is the responsibility of the member to ensure that the information is communicated and documented.

Communication Related to Touching and Patient Sensitivity

A member shall ensure staff is educated and informed about communication, appropriate vs. inappropriate touching of patients and any cultural sensitivities of patients. See Guideline G-001: Prevention of Sexual Abuse of Patients for further guidelines around interacting with patients.

Gowns

When delegating the gowning of a patient to staff, a member shall ensure that staff:

- use appropriate gowning methods to maintain respect for a patient's privacy and dignity.
- inform the patient to only remove clothing that would materially impede a thorough physical examination of the spinal column and pelvis, or any local area the member may wish to examine (e.g., shoulder).
- ensure the patient to puts on a gown opening to the back.

Language

- It is a member's responsibility to ensure that all language used by the member and staff to communicate with patients is professional and sensitive to the culture and language of the patient.
- A member must ensure that staff avoid remarks or comments that could, in any way, be construed by a reasonable person as offensive in nature.

Confidentiality

- A member is ultimately responsible for ensuring that all staff maintain confidentiality of personal health information of patients, consistent with the *Personal Health Information Protection Act, 2004 (PHIPA)* and CCO policy.
- All personal health information must be maintained in strict confidence in or outside the office. Personal information may only be disclosed to the patient, the patient's substitute-

decision maker, or in accordance with *PHIPA* and Standard of Practice S-002: Record Keeping.

- A member shall ensure that staff complies with all existing legal, regulatory and professional obligations when engaging in electronic communication with a patient, and that all communication is:
 - private and confidential, in accordance with privacy legislation and CCO standard of practice;
 - secure from loss, tampering, interference or unauthorized use or access;
 - done only with the authorization or direction of the patient; and
 - recorded in the patient health record and available in hard copy.

Professional Fees

- The member's office fee structure, including the commencement of billing services, must be fully disclosed to a patient prior to treatment. It is the member's ultimate responsibility to ensure that the patient is informed of the exact nature of the fee structure, how and when it will be implemented and all questions related to professional fees are addressed.
- The member is ultimately responsible for ensuring that staff can provide a clear explanation of the fee structure in the office.
- Disputes related to fees are a common aspect of practice in the member's office. To avoid potential dispute, the patient should be informed of the professional fees for each service to be rendered prior to commencement of treatment.
- For further details, please see Guideline G-008: Business Practices

Procedure

CCO recommends that members and their staff implement the above into their office setting. Members are reminded that it is their professional obligation to review all materials from CCO to ensure they are current with their professional responsibilities.

LEGISLATIVE CONTEXT

This guideline should be read in conjunction with the following CCO documents:

- Regulation R-008: Professional Misconduct
- Standard of Practice S-014: Prohibition of a Sexual Relationship with a Patient
- Policy P-050: Supervision and Direction of Chiropractors in Training
- Guideline G-001: Prevention of Sexual Abuse of Patients
- Guideline G-008: Business Practices

