



Physical Therapists

Privacy and Record Retention

Related Standards of Practice

- Documentation

Standard

The physical therapist maintains client privacy and confidentiality in compliance with the requirements of the privacy legislation relevant to their practice.

Expected Outcome

Clients can expect that:

- The physical therapist will limit collection of their personal information to that which is needed to provide physical therapy services.
- Their physical therapy records are confidential, and their personal information will be collected, used, and shared with the highest degree of anonymity possible.
- They will know when their private information is collected, who will have access to it, how it is used, how it is protected, and conditions for its disclosure.
- Their consent for information collection, access, use and disclosure will be sought when required by applicable privacy legislation.

Performance Expectations

CONSENT

The physical therapist:

1. Obtains client consent for collection, use and disclosure of personal information when required by privacy legislation.
2. Clearly discloses instances where audio or video recordings are generated in the practice setting and obtains client consent for audio or video recording of physical therapy treatment sessions.



COLLECTION

The physical therapist:

3. Limits collection of personal information to that which is necessary to provide physical therapy services.

USE AND DISCLOSURE

The physical therapist:

4. Uses personal information only for the purposes for which the information was collected.
5. Makes a reasonable effort to confirm that all correspondence with or regarding the client is sent to the intended recipient.

ACCESS AND CORRECTION

The physical therapist:

6. Accesses only relevant personal information when providing physical therapy services for the client.
7. Grants the client access to their own personal information within the time period specified by relevant legislation.
8. Has clear processes for making corrections to personal information.
9. Provides a copy of the complete client record and client financial record to the client or their authorized representative upon request.
10. Establishes fees for access to the client record that are consistent with the requirements of applicable legislation, and that reflect the costs of providing the record.

CONFIDENTIALITY

The physical therapist:

11. Protects the privacy of personal information in all environments and in all formats of collection.
12. Is attentive to the physical environment during client assessment, treatment, and education and proactively addresses privacy risks including the risk of being overheard when discussing personal information.



SECURITY, RETENTION AND DISPOSITION

The physical therapist:

13. Prevents unauthorized access or use of a client's personal information while in use, storage or during transfer, through the appropriate use of physical, technical, and electronic security mechanisms.
14. Reports privacy breaches to the appropriate individual(s) if unauthorized access or use occurs.
15. Contributes to privacy breach investigation and mitigation in accordance with organization policies, role-based responsibilities, and legislative requirements.
16. Retains client records and client financial records for sixteen years after the last date of service.
17. Retains client records and client financial records of minors for sixteen years past the minor's 19th birthday.
18. Retains records in a manner that enables a complete copy, or any component of the record to be retrieved and copied upon request, regardless of the media (paper or electronic) used to create the record.
19. Ensures contractual agreements are in place any time a third party is engaged to process, store, retrieve or dispose of personal information or provide information technology services, and that the terms of the agreements address ongoing access, security, use and destruction of client information for the duration of the required retention period.
20. Disposes of records (e.g., electronic, paper) in a manner that maintains privacy and confidentiality of personal information.
21. Takes action to prevent abandonment of client records.
22. Ensures that regulatory requirements are met, and the College is notified within 21 days in the event that the physical therapist is unable to continue as custodian of client records (in the case of retirement, closing a practice, etc.).