

NEWFOUNDLAND AND LABRADOR COLLEGE OF PHYSIOTHERAPISTS

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ADVISORY

TO: Members of the College

FROM: The Newfoundland and Labrador College of Physiotherapists

SUBJECT: Contracts relating to practice of physiotherapy

DATE: September 2003.

The College advises members not to sign contracts that attempt to:

- Impose standards for the practice of physiotherapy
- Require continuous or other disclosure of client health information without the specific consent of the client
- Stipulate referral by an other professional
- Require audits of a registered physiotherapist's practice
- Interfere with a physiotherapist's clinical decision making
- Interfere with the physiotherapist-client relationship.

The College is the sole authority to set and regulate standards of practice for physiotherapy or to discipline physiotherapists in the province of Newfoundland and Labrador. This authority arises under the *Physiotherapy Act*.

Safeguarding client information is a legal responsibility every physiotherapist holds on behalf on the client. Disclosure of information must comply with the "Standards of Practice for Physiotherapists" March 1999 ("Standards"). See standards 1.2.5; 1.2.7; 1.2.8.of the Standards.

Physiotherapy is a primary contact profession and as such a client may access physiotherapy directly, without referral. Physiotherapists deliver physiotherapy to the client and are accountable to the client and to the College for the quality of service delivered.

Physiotherapists deliver physiotherapy to the client and are accountable to the client and to the College for the quality of service provided. Members are responsible to practice physiotherapy in accordance with the Standards of Practice set down by the College.

The physiotherapist has no direct relationship with third party payers other than as determined by agreement with the client or required by law. The role of third party payers is to provide funding to their clients for the services provided by physiotherapists. Members must ensure that the client's consent has been obtained in respect of matters relating to provision of services paid by third party payers and in respect of requests for information from third party payers. The agreement to provide physiotherapy services is always between the physiotherapist/clinic and the client and services can be discontinued in the event that the client does not pay where the third party payer has discontinued payment.

Members must inform the College if any body other than the College attempts to regulate or impose standards on the practice of physiotherapy.

Members are advised that to sign a contract which that includes standards on physiotherapist's practice, which vary the Standards of Practice for Physiotherapists, will be in violation of 4.3 of the Standards and could result in disciplinary action.

See the attached explanation. Keep it on file with your College documents.

