

Advertising and Marketing

Standard

The physiotherapist engages in **advertising, marketing and promotional activities** in a manner that is truthful, accurate, and verifiable and does not engage in or allow advertising, marketing, and promotional activities that are deceptive or misleading.

Expected outcome

Patients can expect that the advertising, marketing and promotion of **physiotherapy services** and products is not deceptive or misleading and enables the patient to make informed choices.

Performance expectations

The physiotherapist:

- Advertises only the physiotherapy services that they are competent to provide.
- Does not state or imply a practice focus or area of interest in their advertising, marketing or promotional activities unless:
 - The area of interest is a demonstrated significant focus of their practice, and
 - The physiotherapist can demonstrate ongoing professional development or continuing education in the area of interest upon request.
- Does not refer to themselves as a specialist or employ other language that implies specialization in an area of practice or physiotherapy service provision unless authorized by the College to use the specialist title.
- Reviews all advertisements, marketing, and promotional activities placed by themselves or others on their behalf to ensure they are truthful, accurate, and verifiable, and if they are not, takes reasonable steps to correct the advertisements and documents the steps taken.
- Does not use advertisements, marketing or promotional activities that:
 - Promote or encourage unnecessary use of physiotherapy services or products.
 - Make unsubstantiated claims, foster unrealistic expectations, or provide guarantees of successful outcomes.

- Include claims of uniqueness or special advantage of products, physiotherapy services or care providers, unless supported by **credible** evidence that can be readily verified.
- Make superlative statements about products, physiotherapy services, or care providers.
- Make comparative statements about physiotherapy services or care providers.
- Endorse products for financial gain, unless the information is supported by credible evidence for use in physiotherapy and with full transparency regarding any financial relationships related to the endorsement.
- Discredit, disparage or undermine the skills of other care providers or the physiotherapy services of other clinics or facilities.
- Does not offer incentives or other inducements that promote unnecessary physiotherapy services.
- Does not advertise free physiotherapy services, including offers of free consultations, screening appointments, assessments, or free trials of physiotherapy treatments, unless free services are provided for the purposes of:
 - Providing general education or health promotion.
 - Informing the public about physiotherapy services offered.
 - Providing pro-bono services to patients experiencing financial hardship.

Definitions

Advertising – the action of calling something to the attention of the public, especially by paid announcements.

Patients are recipients of physiotherapy services, and may be individuals, families, groups, organizations, communities, or populations. In some circumstances, patients may be represented by their substitute decision-makers.

Credible – means any evidence that reasonably would be viewed as reliable, accurate, and having a basis in fact.

Marketing – the process or technique of promoting, selling, and distributing a product or service.

Physiotherapy services are services provided by or under the direction of a physiotherapist. This includes patient assessment and intervention, and related communication and reporting to various parties for the purposes of delivering patient care.

Promotional activities include any effort made by an individual physiotherapist or business to communicate with potential patients. Promotional activities serve to inform about available products, prices and services, and to persuade people to buy the products and services. Includes personal selling, direct marketing, advertising, sales promotion, publicity, public relations, and social media presence.

Superlative – an expression of high praise, often excessive or exaggerated. It refers to something of the highest order, quality, or degree, and surpassing all others. In physiotherapy practice, words like “expert,” “best,” or “number 1” are examples of superlative statements.

Documentation

Standard

The physiotherapist maintains patient records that are accurate, legible, complete, and written in a timely manner.

Expected outcome

Patients can expect that their physiotherapy records are confidential, accurate, complete, and retrievable, and reflect the physiotherapy services provided.

Performance expectations

The physiotherapist:

- Maintains legible, accurate, and complete patient records for all aspects of patient care in either French or English.
- Completes documentation in a timely manner to promote patient safety and effective clinical care.

Components of a Complete Patient Record

- Confirms that the following information is retained as part of a complete patient record:
 - Details of clinical care.
 - Records of patient attendance, including declined, missed or cancelled appointments.
 - Financial records, in situations where fees for services or products have been charged.
 - Details or copies of all incoming or outgoing verbal or written communication with or regarding the patient that are related to clinical care.

Details of Clinical Care

- Includes in the patient record detailed chronological information including:
 - Unique patient identifier on each discrete part (each page) of the patient record.
 - Whether the session was provided virtually.

- Patient's reason for attendance.
 - Patient's relevant health, family, and social history.
 - Date of each treatment session or professional interaction including declined, missed or cancelled appointments, telephone or electronic contact.
 - Date of chart entry if different from date of treatment session or professional interaction.
 - Assessment findings.
 - Treatment plan and goals.
 - Documentation of informed consent and relevant details of the consent process reasonable for the clinical situation.
 - Details of treatment provided and patient response to treatment, including results of reassessments, in sufficient detail to allow the patient to be managed by another physiotherapist.
 - Details of tasks assigned to physiotherapist assistants.
 - Details of relevant patient education, advice provided, and communication with or regarding the patient.
- Ensures that the individual delivering physiotherapy services is clearly identified in all documentation.
 - When patient care follows a set care pathway or protocol, retains or ensures access to copies of those care pathways or protocols.

Quality of Documentation

- Confirms that documentation entered into the treatment record accurately reflects the assessment, treatment, advice, and patient encounter that occurred.
- May reference rather than duplicate information collected by another regulated healthcare provider that the physiotherapist has verified as current and accurate.
- Uses terms, abbreviations, acronyms, and diagrams which are defined or described to promote understanding for others who may access a patient's record, and that a list of definitions is available and easily retrievable.

- Clearly documents any changes or additions made to the patient record after the initial entry, identifying who made the change, the date of the change, and the reason for the change.

Financial Records

- Maintains accurate and complete financial records related to fees charged for the provision of physiotherapy services and sales of products.
- Financial records must include:
 - Identification of the individuals involved in the delivery of the patient's care, the name of the organization (for example, a physiotherapy clinic, corporation, hospital, or healthcare centre), the date of service, and the physiotherapy service or product provided.
 - Patient's unique identification.
 - Whether the care being billed for was provided virtually.
 - Fee for a physiotherapy service or product, including any interest charges or discounts provided.
 - Method of payment, date payment was received, and identity of the payor.
 - Any balance owing.

Record Retention

Clinical and financial records must be retained for at least 10 years from the later of the following two dates:

- Adult patients: the date of the last patient encounter, or
- Patients who are children: the date that the patient reached or would have reached 18 years of age.

It must be possible to retrieve and reproduce a complete clinical and financial record for each patient throughout the retention period¹.

¹ The requirement to retain patient records for a minimum of 10 years is set out in the *Public Hospitals Act* 1990, and this has been adopted by the College to apply to physiotherapists in all sectors. However, under the *Limitations Act* 2002, legal proceedings can be brought up to 15 years after any alleged act or omission. As a result, physiotherapists may wish to keep their records for longer than the minimum 10-year requirement.

Electronic Medical Records

- Knows that use of an EMR does not alter the physiotherapist's obligations to ensure users are uniquely identified, entries and corrections are identified and traceable to a user, and data recovery/contingency plans are in place.

Funding, Fees and Billing

Standard

The physiotherapist is responsible for ensuring that the fees charged for physiotherapy services and products are transparent and justifiable, to enable patients to make informed choices.

Expected outcome

Patients can expect that fee schedules and billing practices for physiotherapy services and products are transparent, justifiable, and clearly communicated, and that they will be made aware of the fees and billing practices of the physiotherapist before they become subject to them.

Performance expectations

The physiotherapist:

- Is responsible for all billing under their registration number.
- Maintains current knowledge of relevant funding sources for physiotherapy services and complies with funding requirements, policies, and procedures.
- Prior to the patient being subject to any fee, confirms the patient has been provided a **comprehensive** fee schedule that includes transparent and accurate information about billing policies and all potential charges, including but not limited to:
 - Assessment and treatment fees.
 - Reports and fees for copies of patient records.
 - Equipment and any additional fees.
 - Fees and policies related to **bundled physiotherapy services**.
 - Cancellation or late fees and interest charges.
 - Refund policies.
- Explains the fees and billing process to their patients that is related to their care and makes a reasonable effort to ensure that patients understand this process.
- Establishes fees for access to patient records that are
 - consistent with the requirements of applicable legislation, including the *Personal Health Information Protection Act (PHIPA)*, 2004

- reflect the costs of providing a copy of the patient record, and
- are consistent regardless of the party requesting access.
- **Promptly** provides patients and/or payors with clear, transparent, accurate, and comprehensive invoices or receipts and all explanations required so that the patient and/or payor understands the fees charged, who provided the care, and terms of payment.
- Does not represent non-physiotherapy services as physiotherapy on invoices or receipts.
- Maintains a written process for routinely reviewing their fees, billings, or accounts and is able to demonstrate that they did the review. This review process must ensure that:
 - Any fees charged are accurate and reasonable, and
 - Billings or accounts are accurate.
- Identifies and takes reasonable steps to correct any billing errors and documents the findings, action taken, and the outcome.
- Employs policies and measures to mitigate the risks related to pre-payment of physiotherapy services before accepting pre-payment or engaging in bundled physiotherapy service provision (not applicable to provincial bundled care programs), including but not limited to:
 - Providing the patient with the option to purchase one service at a time.
 - Providing refunds for unused physiotherapy services.
 - Issuing physiotherapy receipts only after physiotherapy services are delivered.
- Makes reasonable efforts to resolve issues arising from billing disputes.
- If selling products, must inform the patient that they have the option to purchase the product from another supplier, and that their choice to do so will not affect their physiotherapy services.

Definitions

Bundled physiotherapy services means a program of treatment or set of physiotherapy services intended to be delivered as a comprehensive plan of care over a course of several physiotherapy interactions.

Comprehensive means complete, including all or nearly all elements or aspects of something.

Promptly means with little or no delay.