



## Temporary Telehealth Standard

The NBCA Board of Directors grants temporary permission for NBCA registrants to practice via telehealth until April 30, 2020 inclusively. The permission may be terminated, shortened, or extended at the discretion of the NBCA Board of Directors.

The NBCA may remove the right to practice via telehealth to any registrants who are in violation of the rules listed below, or existing applicable legislation and regulations. Termination of the right to practice via telehealth would result in immediate cessation of consultations, follow-ups and related billing for telehealth services. Failure to conform to the directives may result in a complaint for professional misconduct.

NBCA registrants that will be practicing via telehealth must inform the NBCA office before initiating services. The NBCA will provide the registrants written permission until 30 April 2020, inclusively.

Eligible registrants must:

- Be registered as a member in good standing with the New Brunswick Chiropractors Association
- Maintain Professional Liability Protection with the Canadian Chiropractic Protective Association. Those who are covered by other providers, it is the responsibility of the registrant to provide proof to the NBCA that liability coverage extends to telehealth consultations prior to initiating services.
- Telehealth services may only be provided to existing patients who are physically located within the province of New Brunswick at the time of the consultation.
- Consultations provided through telehealth must respect all provincial and federal legislations, and NBCA Standards of Practice and guidelines.
- Telehealth services can only be provided by the registrant, and cannot be delegated to anyone else including clinic staff or another chiropractor.
- The registrant must ensure that telehealth consultations are provided on a secure and encrypted platform only.

Chiropractors are required to use professional judgement to determine whether temporary telehealth consultation(s) are appropriate for the patient based on their unique needs and preferences.

Eligible patients include:

- Existing patients with an established, current therapeutic relationship with the primary chiropractor in their care
- A treatment plan must be established in-line with the in-person exam conducted prior to the consultation.
- A current therapeutic relationship is deemed established when the chiropractor has completed all of the following:
  - An in-person examination that was documented within the last calendar year with the primary treating chiropractor.
  - A treatment plan has been developed within the last calendar year following the most recent in-person exam.

- The patient must have signed an informed consent to chiropractic treatment in the last calendar year. The form must have been signed prior to initiating any telehealth consultation.

Activities that apply to telehealth consultations include:

- Monitoring, observing and prescribing therapeutic exercises. Steps should be taken to assess risks and mitigate these which can include injuries or environmental hazards. This must be done by video.
- Providing lifestyle counselling and recommendations related to the scope of chiropractors in NB. This must be done by video or telephone.
- Providing education and self-management strategies related to neuromusculoskeletal-related pain and dysfunction. This must be done by video.
- Referral to another healthcare provider, additional testing or imaging based on the telehealth consultation. This must be followed-up with clinical note to the appropriate provider.

### **Informed Consent for Temporary Telehealth**

Informed consent must be documented and filled prior to initiating telehealth consultations. The patient must be informed about available treatment options. In addition, patients must be informed of the related risks and benefits of the intervention(s) provided via telehealth consultation. Informed consent should be documented in the patient file. Additional informations, as part of the informed consent process, should include:

- Inform the patient of all limitations of conducting telehealth consultations rather than in-person visits.
- Inform patients of the inherent risks of telehealth consultations which includes risks to the privacy of patient information and potential risk of injury and environmental hazards.
- How privacy of videotaping, recording, and storage of information and data from the temporary telehealth consultation will be ensured.
- That the consultations are conducted on a secure, encrypted telehealth technology.

The chiropractor should develop adequate policies and procedures including:

- Verify the identity of the primary chiropractor to the patient
- Verify the patient's identity
- Document the verification policy and processes
- How the informed consent process will be fulfilled

### **Privacy**

Chiropractors must comply with all provincial and federal legislation, and regulatory requirements as they would during in-person visits. No leniency should be granted for services provided by telehealth consultations. The standard of care remains the same.

The chiropractor is required to:

- Comply with all privacy and security requirements prior, during and after the telehealth consultations. Compliance is expected when booking appointments, and any relevant follow-up communications.
- Document privacy and security measures used to protect the patient's privacy and health information.
- Employ authentication and encryption technologies, as well as secure transmission systems and storage mechanisms.
- Develop policies and practices to ensure that patient records cannot be accessed by unauthorized users, tampered with or destroyed, and are protected at both the originating and remote sites.
- Secure all physical devices used in telehealth when storing patient information related to telehealth services.
- Maintain awareness of current and emerging risks to patient privacy inherent to telehealth practice and employ technical, administrative, and physical controls to address these risks.

## **Documentation**

Services delivered by telehealth are subject to the same Standards of Practice and guidelines as in-person visits. However, additional measures including additional documentation and recordkeeping to ensure compliance.

The chiropractor is required to:

- Retain accountability for evaluating any information gathered from a third-party source. The chiropractor must determine its reliability and accuracy and the ability to incorporate the information into the assessment or treatment.
- Maintains written records summarizing all interventions consistent with the Standards of Practice and guidelines.
- Record the financial record as a telehealth consultation.
- Retain any video or audio recordings generated as part of telehealth consultations as part of the patient record.

## **Fees and Billings**

Chiropractors are required to provide a fee schedule and invoices/receipts that are transparent and accurate. When delivering services using telehealth, the chiropractor must:

- Inform the patient of the fee prior to the consultation.
- Disclose the limited scope of the services rendered via telehealth to the patient.
- Provide receipts that clearly reflect the services rendered via telehealth.
- May submit telehealth consults for third-party payors for reimbursement only if the third-party allows it. Patients are responsible to submit receipts for reimbursement directly.

The chiropractor is encouraged to use discretion. Continuity of care should not be dependant on patient's ability to pay. In addition, services should not be billed for a simple follow-up or check-in with existing patients.

## **Compliance**

Chiropractors who choose to offer telehealth under this policy is granted temporary permission by the NBCA Board of Directors and are subject to the same regulation as if care was provided in-person. Care can only be provided once permission is granted by the NBCA. Failure to comply with the regulations are subject to the complaints process as articulated in the [Act](#).