

## Standard of Practice: Records

(See also Privacy and Confidentiality)

Implementation: TBD

### Registered Massage Therapist Outcome

Registered Massage Therapists (RMTs) prepare accurate and complete **client health records**<sup>1</sup> and ensure all **personal health information** is maintained, stored, shared, transferred, and disposed according to current legislation and the Standards of Practice.

### Client Outcome

Clients can expect health records prepared by RMTs are accurate and complete and that personal health information is kept confidential and secure for the required period of time.

### Requirements

The RMT must:

1. Ensure records and information management practices comply with the [Personal Health Information Protection Act, 2004](#) (PHIPA) and the [Personal Information Protection and Electronic Documents Act, 2000](#) (PIPEDA).
2. Identify their role and responsibility related to privacy legislation in every practice [such as **agent** versus **health information custodian** (HIC)] and ensure those details are reflected in applicable employment or contractual agreements for their practice.
3. Create and maintain a **daily appointment record** and a client health record for every client.
4. Ensure information is recorded/documented in English or French, is legible and is recorded in a timely manner.
5. Take reasonable steps to ensure that records are accurate, complete and retrievable.
6. Ensure corrections and changes to client health records:
  - a. Are made when requested in writing by the client or the client's **authorized representative** unless the request is not factual or is unreasonable;
  - b. Preserve the original information; and
  - c. Indicate the reasons, date and time and who made the correction/change.

7. Ensure client health records are retained for 10 years after the client's last visit or, if the client was under 18 at the time of the last visit, 10 years after the day the client turned or would have turned 18.
8. Secure client health records from loss, tampering, theft, interference, or unauthorized use or access.<sup>2</sup>
9. Ensure client health records are destroyed or disposed of in a way that protects client privacy and confidentiality after the mandatory retention period has passed.
10. Provide a copy<sup>3</sup> of a client health record to the client or the client's authorized representative when a request is received (except in limited situations, including where providing access could result in a risk of serious harm).
11. Provide access to, or a copy<sup>3</sup> of, a client health record when a request is received to those authorized to access the health record by law, including:
  - a. Those designated by CMTO;
  - b. Those designated by the Ministry of Health; or
  - c. Persons conducting health research, administration or planning after information that could be used to identify individual clients<sup>4</sup> is removed.
12. Transfer the client health record when requested by the client, and when necessary upon the RMT changing practice locations, leaving a practice or retirement.
13. Ensure the client is aware of how to access their health record and request copies upon the RMT changing practice locations, leaving a practice or retirement.
14. Make arrangements to transfer the custody of client health records in the event of the RMT's death or incapacity.
15. The client health record must contain, at minimum:
  - a. The client's name and contact information.
  - b. Date, time and duration of each of the client's visits to the RMT.
  - c. Name and contact information of any referring health professional (when applicable).
  - d. Any relevant medical history and history of Massage Therapy.
  - e. Details of every **examination** performed and clinical finding made by the RMT.
  - f. Every written report received by the RMT with respect to examinations, tests, consultations or treatments performed by any other person.
  - g. Details of all advice given by the RMT.
  - h. Details of every referral of the client by the RMT to another health professional.
  - i. Details of every consent discussion and a copy of every written consent.
  - j. Details of the **treatment plan**.
  - k. Details of the treatment applied at each of the client's visits, and the name of the RMT who applied the treatment.
16. Ensure each part of the client health record is dated and identifies the client or the health record.

<sup>1</sup> Whether paper or electronic.

<sup>2</sup> Electronic records must be protected to a degree at least equivalent to physical records and must follow additional requirements under PHIPA.

<sup>3</sup> A fee can be charged for copying client health records if it is not excessive or unreasonable.

<sup>4</sup> This includes information that when considered collectively could be used to identify individual clients even if that information by itself is not individually identifying; client privacy and confidentiality must be maintained. Clients must be made aware of the potential uses of their personal health information prior to giving their consent for its collection and subsequent use.

## Relevant Legislation and Regulation

1. [Ontario Regulation 544/94](#) under the [Massage Therapy Act, 1991](#)
2. Professional misconduct in Section 26 of [Ontario Regulation 544/94](#) under the [Massage Therapy Act, 1991](#)
3. [Personal Health Information Protection Act, 2004](#) (PHIPA)
4. [Personal Information Protection and Electronic Documents Act, 2000](#) (PIPEDA)

## Resources and Guidance

To meet or exceed the Standard, please see the following:

- [Code of Ethics](#)
- [Guide to Record Keeping Requirements](#)
- [What You Need to Know About Privacy Law: An Overview of the Personal Health Information Protection Act, 2004 \(2020\)](#)
- [Personal Health Information Protection Act, 2004 \(PHIPA\): Guide for Regulated Health Professionals](#)
- [Information and Privacy Commissioner of Ontario](#)
- [Standard Spotlight: Records](#)

## Related Standards of Practice

- *Client-centred Care*
- *Communication*
- *Fee and Billing*
- *Privacy and Confidentiality*

## Related Career-Span Competencies (CSCs)

- Act with professional integrity
- Comply with legal requirements

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