

# PRACTICE GUIDELINE LEAVING A PRACTICE OR RELOCATING

COLLEGE OF PHYSICAL THERAPISTS OF ALBERTA

JUNE 2008



## INTRODUCTION

From time to time physical therapists may leave a place of employment or move to another clinic/facility. In these circumstances physical therapists face two major issues:

1. Continuity of patient care.
2. How to handle patient records.

All too often in these circumstances physical therapists find themselves in uncomfortable relationship situations reminiscent of a ‘bad divorce.’ The College of Physical Therapists of Alberta (‘the College’) encourages all physical therapists to take steps at the time of hire to ensure there is a mutual agreement between yourself and the employer regarding continuity of care and the handling of patient records in the event of termination or relocation.

The guidelines provided below are based on the following principles:

- Patients have the right to choose their physical therapist provider; no one ‘owns’ the patient.
- Physical therapists are obliged to act in the patient’s best interest.
- Patients have the right to access their clinical records.

## NOTIFYING PATIENTS

Physical therapists are obliged to ensure there is continuity of patient

care when leaving a practice regardless of the circumstance. This can be accomplished by transferring patient care to another physical therapist within the practice. It is also acceptable to provide the patient with other alternatives including:

- Informing patient of other physical therapists in the area.
- Offering to see patient at your new location as appropriate and feasible.
- Completing patient care prior to leaving.
- Making arrangements with current employer to continue providing patient care as mutually acceptable until a successor physical therapist can take over the patient’s care.

Patients should be provided with the information required to make an informed choice. It is not acceptable for an employer to withhold information about a physical therapist’s whereabouts if known just to prevent business loss. Likewise, it is not acceptable for the departing physical therapist to remove patient information from a clinic for the purpose of business gain. In fact, to do so may contravene privacy legislation as the information will be used for purposes beyond which it was collected.

## PATIENT RECORDS

Privacy legislation including the Health Information Act (HIA) and the Personal Information and Protection Act (PIPA) governs the collection, use, disclosure and access to patient information.

The patient (or their designate) has the right to access their record. The record custodian may vary—most often the facility is the record custodian for practical purposes unless otherwise agreed upon between the physical therapist and the facility owner/manager.

Physical therapists have a professional obligation to ensure that clinical and related (e.g., billing) records are maintained, generally for 10 years. The physical therapist must also ensure they have ongoing access to records when leaving a physical therapy practice. If a physical therapist is employed by another person or facility, the physical therapist must ensure that these professional obligations can be accommodated.

There are other ways to fulfill this professional obligation. These include that the physical therapist:

- Takes patient records or copies when leaving a facility.
- Has an agreement with the record custodian that records will be maintained for the required period and that the physical therapist will have access if required.
- Obtains a copy of record from the patient or patient designate.

Physical therapists are encouraged to prevent patient record issues by negotiating such matters at the time of hire to avoid conflict at the time of departure. If you find yourself in the position that your professional obligation conflicts with a contractual obligation, seek legal advice.

## AVOIDING TROUBLE

The College recommends the following four steps:

- Agree at the time of hire on how continuity of care and patient record issues will be handled.
- Agree on how information regarding a physical therapist's departure will be communicated (see sample letter on page 5).
- Seek legal advice if needed to review employment contracts to ensure professional and contractual obligations do not conflict.
- Understand privacy legislation and how it applies to you/your employment situation.

**SAMPLE PATIENT LETTER**

The following is a sample letter from a departing physical therapist or practice owner to communicate a physical therapist’s departure from practice. This is a sample only and can be customized as required.

Dear (Patient):

On (month, day, year), (I or name of physical therapist) will be leaving (name of practice) to (retire/go on leave/join a new practice/begin my own practice). As (I or name of physical therapist) (am/is) presently providing you with physical therapy services, it is important you know the options available in order to receive ongoing physical therapy services. These options are:

- Remaining at (name of practice) and transferring care to (name of physical therapist).
- Transferring to another practice in the area, a list of which will be provided to you.
- Transferring to (name of practice of departing physical therapist).

Please advise (me, name of practice owner or administrative person) of your decision so that continuity of care can be assured. You may do so by indicating your choice below and returning a signed and dated copy.

Yours truly,

(Name of physical therapist/practice owner)

**Please choose on of the following options:**

- I wish my file to stay with (name of practice and new therapist)
- I wish to be advised of other practices in my area
- I wish to continue care with (name of physical therapist) at their new location

\_\_\_\_\_  
Patient signature

\_\_\_\_\_  
Date

The College of Physical Therapists of Alberta regulates the practice of physical therapy in Alberta.

For more information or advice regarding these guidelines please contact the College of Physical Therapists of Alberta.  
www.cpta.ab.ca  
780.438.0338

Protecting Albertans through effective regulation and leadership.