

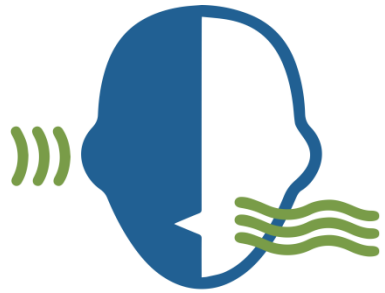
Welcome to CASLPO E-Forum

We will carry out **sound checks 30 minutes, 15 minutes and 5 minutes** before the start of the webinar. Until then, you will not hear us.

Tips for good Adobe connection

1. Make sure this webinar is your only site up on your computer. Get out of Outlook and any other internet sites
2. Hard wire connection (blue cable) is better than Wi-Fi
3. Check your speakers are firmly plugged in
4. If you have problems with sound, try going out of Adobe and re-entering





CASLPO E-Forum

Private Practice Issues in Speech Language Pathology

Introductions:

- Carol Bock – Deputy Registrar
- Alex Carling Rowland – Director of Professional Practice and Quality Assurance
- Sarah Chapman Jay – SLP Practice Advisor

www.caslpo.com



Practice Advice

- CASLPO offers practice advice on matters pertaining to practice standards, legislation, and College expectations
- Practice Advice is provided in response to specific inquiries and may not be relevant in all circumstances
- CASLPO does not provide legal advice
- The Practice Advice Program is intended to support but not replace professional judgment

CASLPO UPDATES

Practice Advice

- Practice Advice articles from ex.press and previous editions of CASLPO Today are available on the website
- There are over 20 articles including:
 - Billing Third Parties
 - Opening a Private Practice
 - Practicing Securely in an Insecure World



Member Portal Find an Audiologist or Speech-Language Pathologist

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PROTECTION NEWS AND EVENTS **RESOURCES** TRANSPARENCY

Public Members Applicants

Resources/Ressources

Should there be differences in documentation previously distributed to CASLPO members, it is up to the member to source the latest version posted on the CASLPO website.

Lorsque les documents distribués aux membres de l'Ordre ont été mis à jour ou modifiés, il incombe au membre d'obtenir la dernière version affichée dans le site Web de l'Ordre.

Acronym List Liste d'acronymes et de sigles	Legislation, Regulations & By-Laws Lois, règlements d'application et règlements administratifs	Practice Standards Normes de pratique
Position Statements Énoncés de position	Practice Guidelines Lignes directrices de pratique	Practice Advice Conseils sur la pratique
Did You Know? Le saviez-vous?	Annual Reports Rapports annuels	Newsletter Bulletin

Agenda:

- Conflict of Interest
- Concurrent Intervention
- Advertising
- Billing
- Records and access to the patient record
- Working with support personnel
- Incorporation, Title of Company and Liability Insurance

Please type your questions in the chat box



Conflict of Interest

- [Proposed Conflict of Interest Regulation](#)
- [Code of Ethics](#)
- [Records Regulation](#)
- [Guide to Obtaining Consent](#)
- Position Statement on Professional Boundaries



Conflict of Interest

I work for a publically funded organisation and my patient has asked if I will provide additional private services – Can I?

Maybe - consider the following:

- Is it in the patient's best interest, do they need the service?
- Do you have the knowledge, skills and judgement?
- Does the organization have a policy preventing you?
- Have you given them a choice of practitioners?
- Have you discussed fees, cancellation policies, travel costs, where therapy will take place, timing etc.?



Conflict of Interest

I am leaving a private company to set up on my own. Can I inform my patients and take them with me?

- Seek legal advice
 - Did you sign a contract with the company, and are there any legal constraints e.g. non-solicitation, non-competition clauses?



Conflict of Interest

I am leaving a private company to set up on my own. Can I inform my patients and take them with me?

College perspective

- You can advertise your new business, but you must respect client choice, e.g.
 - Do they feel undue pressure to join you?
 - Is continued therapy necessary?
- You cannot use personal health information from the private company you left for the purposes of soliciting new business

Conflict of Interest

Can I offer free SLP screens at our local daycare to generate private referrals?

Yes you can, but . . .

- Ensure that the service is truly free. You must not surreptitiously recoup the costs elsewhere
- Only recommend SLP service if the patient needs it
- The patient/family must not be coerced into accepting your services
- Patients/families must know that there are other practitioners who can provide service
- You are required to follow all regulations and standards including obtaining consent and documentation

Conflict of Interest

I have been asked to assess my father-in-law who has had a stroke and aphasia. Can I do this?

Consider the following . . .

- Are there alternative services?
- Is it in the best interests of the patient?
- Does your personal relationship with the patient compromise your ability to provide professional services?
- Again, you must follow all regulations and practice standards, especially documentation, consent and patient confidentiality

Concurrent Intervention

CASLPO Documents

- [Position Statement on Concurrent Intervention by Members](#)
- [Code of Ethics](#)



Concurrent Intervention

I have been approached by a parent to provide private SLP intervention to a child in grade 2 who is receiving School Board SLP services. Can I do this?

Yes, but consider . . .

- Is it in the child's best interest? Are the therapy approaches compatible?
- Have you made reasonable efforts to contact the other SLP providing care to the patient?
- Have reasonable steps been taken to ensure that concurrent intervention will not be detrimental to the patient?



Concurrent Intervention

I have been approached by a parent to provide private SLP intervention to a child in grade 2 who is receiving School Board SLP services. Can I do this?

If the family refuse to consent to you contacting the S.B. SLP:

- Intervention should not be withheld simply because consent to collect, use and disclose information was not given.
- If there is a reasonable risk of harm to continue with concurrent intervention advise the family accordingly.



Advertising

CASLPO Documents

- [Proposed Advertising Regulation](#)
- [Professional Misconduct Regulation](#)
- [Code of Ethics](#)



Advertising

Why can't we use testimonials in our advertising?

- The Ministry of Health and LTC doesn't allow their use. All regulated health colleges have to comply
- They are inherently unreliable
 - cannot be verified
 - negative comments not included therefore they are not balanced
 - were patients coerced to provide a testimonial?
 - are they made up?

Also...

SLP intervention is customized to an individual patient and no two people are likely to have the same experience.



Advertising

Testimonials and Social Media

- You must not upload any testimonial to your social media accounts (LinkedIn, Facebook, Twitter Google Plus, Tumblr, Instagram etc.).
- You must monitor your social media accounts regularly and remove testimonials.
- If it comes to your attention that a testimonial has been posted by a patient on any form of social or advertising media (Yelp, Yahoo local etc.) make best effort to remove it.



Advertising

When can I use 'endorsements' as part of my advertising?

- Only if the organization or individual proposing to endorse a member or a member's services:
 - has the **expertise relevant to the subject matter** of the endorsement; and
 - has appropriately assessed the member as providing quality care; (Proposed Advertising Regulation 2 (1) f)
- LinkedIn endorsements
 - Regularly review your professional LinkedIn profile
 - 'Hide' inappropriate endorsements, especially from patients (see LinkedIn help)



Advertising

Can I use other advertising strategies such as narratives and surveys?

YES, but . . .

- they must not be false or misleading
- Information and survey results can be verified
- They must not include any identifiable personal health information without consent
- They must not be testimonials



Advertising

Are there any restrictions on what can be written on pamphlets, websites, business cards etc.

The principles of the Proposed Advertising Regulation apply to all media

- The content is not distasteful, undignified, unethical or unprofessional. (2 (1) i))
- It does not contain anything that may be reasonably regarded as a representation that the member's practice may be superior to that of another member's practice or another member (2 (1) c))



Advertising

I have spent a lot of money on a child apraxia course, can I call myself an 'expert'?

No

- An advertisement with respect to a member's practice may not contain a reference to an area of practice that is a prescribed specialty, unless the member holds a CASLPO specialty certificate of registration issued by the College or designation in the specialty granted by the College and the advertisement states that the member is a specialist in the specialty; (Proposed Advertising Regulation (2))
- We are NOT currently pursuing “specialty” designations. Should we do so in the future, members will be informed and consulted.



Advertising

I have spent a lot of money on a child apraxia course, can I call myself an 'expert'?

Suggested terms:

- advanced training
- area of practice
- clinical focus
- additional training
- Xxx certified

Code of Ethics – SLPs shall be honourable and truthful in all of their professional relations (4.1.3)



Billing

CASLPO Documents

- [Records Regulation](#)
- [Professional Misconduct Regulation](#)
- [Code of Ethics](#)



Billing Third Parties

I employ CDAs in my private practice. What should I do about the billing?

Records Regulation – Patient Financial Record

33.2. The member's name.

33.3. If the person who provided the professional product or service was not the member, the name of that person.

Code of Ethics – SLPs shall be honourable and truthful in all of their professional relations (4.1.3)



Billing Third Parties

I employ CDAs in my private practice. What should I do about the billing?

- If the CDA provided the service, the CDA's name should be on the invoice. You may add that you supervise the CDA
- Ask your patient/family to contact the third party funder and ask about support personnel coverage

Professional Misconduct Regulation

The following is an act of professional misconduct

- 23. Submitting an account or charge for services that the member knows is false or misleading.

Billing Third Parties

I am working with the family of a teenager with autism. The parents need to learn how to best communicate with their son. How is this reflected in the billing?

Records Regulation– Patient Financial Record

- 33.1. The patient's name
- Who is the patient?
 - The teenager with autism is your patient
 - Parents may benefit from parent education but the teenager remains the patient
 - The parent received your services
 - Your invoice should accurately reflect the service provided



Billing Third Parties

For your Information

Professional Misconduct

- 23. Submitting an account or charge for services that the member knows is false or misleading.
- Don't do the following . . .
 - Bill for the time of other professionals who are not covered by third party funders, e.g. ABA therapists
 - Write a different date on the invoice so that patients/families can access a previous or new benefit period

Billing Third Parties

For your Information

- Fraudulent use of member's name and registration number
- Beware! Members of the public are occasionally using member's names and registration numbers to make fraudulent claims for service.
- If this occurs, call either Registration or Practice Advice
- Contact the Insurance Bureau of Canada at 1-877-IBC-TIPS
- For more information, please visit the [insurance crime](#) section of IBC's website at www.ibc.ca.

Billing

I am opening a private practice and want to know how much to charge patients

- CASLPO does not determine fees for service
- Members are able to determine a fee, but it must not be excessive. Members can use the OSLA recommended fee schedule to determine what is excessive
- The member must make it clear to the patient what services are included in the fee
- Patients should agree or consent to the proposed fee

Records: Access and Retention

CASLPO Documents

- [Records Regulation](#)



Records: Access and Retention

I am a contract SLP sometimes working in a school board or a hospital. What should I do about keeping records?

- Determine who is the Health Information Custodian (HIC). It is usually the organization for whom you are working (hospital, SLP dept.)
- The patient record has to be complete, retained and accessible
- The member shall take reasonable steps to ensure that the records are up to date and made, used, maintained, retained and disclosed in accordance with this Regulation
- There should not be a duplicate record



Records: Access and Retention

I have been asked by a patient's Insurance company for a patient's personal health information – what should I do?

- Typically, when people sign with third party benefit providers they agree to the company confirming submitted claims.
- Verify with the third party benefit provider that consent has been given by the patient to share the claim information. If it has, you can confirm the information claimed.



Records: Access and Retention

I have been asked by a patient's Insurance company for a patient's personal health information – what should I do?

- If the third party benefit provider wants anything more, for example, a copy of the patient record, you must contact the patient for consent to disclose the record.
- If the patient refuses to give consent, you must inform the third party benefit provider.



Records: Access and Retention

Can an invoice be the financial record?

- The financial record can be a copy of the invoice if all of the required information is included.
 - 1. The patient's name.
 - 2. The member's name.
 - 3. If the person who provided the professional product or service was not the member, the name of that person.
 - 4. Each professional product or service provided to the patient and the date it was provided.
 - 5. The fee charged or received that relates to each professional product or service provided to the patient.
 - 6. The total fee charged or received for all of the professional products or services.
- And . . .
 - 7. A record of the receipt given by or on behalf of the member, if available.

Records: Access and Retention

What should we do about keeping files confidential?

- If you are using a computer at home, make sure that you have a separate account protected by a password
- Special attention must be paid if you are travelling with patient records.
 - Best practice: Patients records should be in a locked box/case and out of plain sight eg. the trunk.
 - At night take the patient files into your house and store securely
- Keep patient records locked and secure



Records: Access and Retention

I am considering retiring, what should I do about my patient records?

- Develop a plan for the closure of your practice
- Records need to be retained for ten years, or ten years after a child turns 18 years
- Transfer records to successors or another member
- Companies will store records and make records available to patients upon written request
- Inform your patients where their records are located and how they can access them.



Working with support personnel

CASLPO Documents

- [Position Statement on the Use of Support Personnel by SLP](#)
- [Professional Misconduct Regulation](#)
- [Code of Ethics](#)



Working with Support Personnel

I have been in private practice for about five years and am thinking of employing a CDA. What do I need to know?

- All standards of practice regarding the use of support personnel (SP) apply, regardless of the setting
- Review the position statement which covers consent, SP and member competencies, what SP can and cannot do, supervision and documentation
- Make sure information regarding your fees and the SP's fees is clearly explained to the patient and/or family



Incorporation, Title of company and Liability Insurance

CASLPO Documents

- [BY-LAW NO. 2011-5](#)



Professional Corporation

“Professional Corporation” means a corporation incorporated or continued under the *Ontario Business Corporations Act* that holds a valid certificate of authorization or other authorizing document issued by the College.

Incorporation, Title of Company and Liability Insurance

BY-LAW NO. 2011-5

- The registered name of the professional corporation
- Any business names used by the professional corporation
- The name, as set out in the register, and registration number of each shareholder of the professional corporation
- The name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director
- The business address, telephone and fax number and email address
- The address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided
- A brief description of the professional activities carried out by the professional corporation



Incorporation, title of company and Liability Insurance

Insurance

- 3.1 The corporation must provide proof of having professional liability insurance of at least \$2,000,000.00 per claim

For further information about Incorporation, please contact a lawyer and/or an accountant.

For questions about the By-Law please contact the Director of Registration Services



Thank you for participating in our first E-Forum.

We will be sending you a survey for your feedback.



-
- Emergency Question if there is too much time!



Question

What should we do if clients don't pay for their private therapy sessions?

What would be considered ethical regarding collecting on delinquent accounts?

Every situation is different

Suggestions:

- Contact the patient and or family
- Give them a timeframe by which they must pay
- You do not have to continue providing service

Professional Misconduct Regulation

1. Act of professional misconduct

8. Discontinuing professional services that are needed unless,

v. the patient or client is unwilling or unable to pay and reasonable attempts have been made to arrange alternative services,



-
- Get legal advice
 - Small Claims Court
 - <http://www.attorneygeneral.jus.gov.on.ca/english/courts/guides/>



-
- Develop a patient or family handout outlining all of your fees and charges:
 - Assessment
 - Therapy sessions
 - Reports
 - Travel
 - Outline when fees must be paid
 - Make the consequences clear regarding non-payment of fees
 - Termination of services

Document!

- [Records Regulation](#)
- 33. (1) Subject to subsection (2), every member shall maintain a financial record for each patient that contains the following information regardless of whether the member bills the patient directly for professional products or services provided to the patient or bills a third party:

