



Practice directions assist practical nurses in understanding their responsibilities and legal obligations, enabling them to make safe and ethical decisions within their practice. Practical nurses are expected to comply with the information disseminated in practice directions. Failure to do so may result in investigation for misconduct and/or an audit of the nurse's practice.

### Background

This document was created in collaboration by Manitoba's regulatory colleges<sup>1</sup> for Audiologists and Speech-Language Pathologists, Dietitians, Licensed Practical Nurses, Occupational Therapists, Physiotherapists, Registered Nurses, Registered Psychiatric Nurses and Respiratory Therapists. Additional Manitoba health regulatory colleges have since adopted the guidance provided in this document as well.

The information in this practice direction is intended to assist regulated Health Care Providers<sup>2</sup> (HCPs) in deciding when the use of telepractice<sup>3</sup> is appropriate and to support the provision of effective healthcare using technology. This information should be read in conjunction with profession-specific Standards of Practice, Codes of Ethics, and Practice Directions.

HCPs who are self-employed are expected to develop policies and procedures to support

telepractice. HCPs who are employees are expected to review their employer policies that support telepractice and to follow those policies.

Additionally, all regulated HCPs must follow any applicable telepractice specific standards, guidelines and directions set out by their own College. HCPs looking for direction on providing telepractice services to those outside Manitoba must consult with their appropriate College. This guidance document does not replace any standing documents that each College provides to their own registrants.

The Colleges do not endorse nor provide guidance on the specific platforms HCPs should use in the course of the telepractice services provided. However, all HCPs must be mindful to ensure that the platform they choose enables them to follow the guidelines set out in this document.

### General Performance Expectations

When engaging in telepractice, the HCP:

- Complies with applicable regulatory requirements, including registration, insurance/liability requirements, and competence.
- Complies with expectations defined in any regulatory body specific document including

<sup>1</sup> These regulatory colleges are referred to, throughout this document as "the Colleges."

<sup>2</sup> In this document, the term Health Care Providers refers to individuals registered with a Manitoba health regulatory college that has chosen to publish the same guidance for its registrants on telepractice.

<sup>3</sup> For the purposes of this document telepractice is the term used to describe virtual health services but may also be referred to as telehealth and virtual health care.

but not limited to Standards of Practice, Code of Ethics, and Practice Directions.

- Ensures interventions, referrals, or consultations delivered by telepractice are held to the same standards and expectations as those provided in person.
- Uses their professional judgment to determine if telepractice is appropriate, taking into consideration:
  - Whether telepractice is the most appropriate available method to deliver services.
  - Whether in-person contact is required to complete the assessment and for determining a diagnosis and treatment plan.
  - The ability to deliver substantively equivalent care as health care delivered face-to-face.
  - If client factors such as physical, sensory, or cognitive deficits may impact the ability to deliver appropriate care via telepractice.
- Ensures that telepractice does not expose the client to a higher risk than other possible service delivery methods. This can include threats to the privacy of the client's health information or client safety, depending on the physical environment and context in which services are provided.
- Informs the client of the process to follow if they have a concern or complaint about their health care, including their ability to lodge a complaint.

## Informed Consent

As with all healthcare services, for consent to be valid, it must first be informed. In addition to the general requirements for consent, in telepractice, the client must have a clear understanding of the limitations that

telepractice services present as compared to in-person services.

Clients must be aware of all available treatment options, including options to receive in-person care and the unique risks and benefits that telepractice provides.

## Informed Consent Expectations

The HCP:

- Augments routine informed consent processes as required to support telepractice delivery. This may include express consent:
  - To receive services via telepractice rather than in person.
  - For videotaping, recording, or otherwise storing information and data from the telepractice session.
  - For the transmission of information via telepractice technologies.
  - For the participation of other healthcare providers or the client's family in the provision of care.
- Follows policies and procedures to:
  - Verify their identity to clients.
  - Verify the identity of the clients whom they serve.
  - Document the verification processes used.
- Follows policies and procedures to verify the identity of any third parties who may be observers or engaged in the delivery of care (i.e., family members, other health professionals, support staff) and obtains client and provider consent for the presence of these individuals while delivering services.
- Informs clients of any limitations that telepractice services impose on health care services, such as the inability to apply

hands-on evaluation and treatment if applicable.

- Informs clients of the risks inherent in the delivery of services using telepractice, including threats to the privacy of client information and safeguards employed to address these risks.

## Privacy

HCPs are expected to practice in compliance with all legislative and regulatory requirements relevant to their practice; the provision of healthcare using telepractice technologies is no exception. HCPs need to be aware of and comply with the privacy legislation that is relevant to their practice.

## Privacy Expectations

The HCP:

- Complies with all privacy and security requirements both during telepractice sessions and when in contact with the client through other electronic means, such as arranging appointments via email.
- Documents privacy and security measures used to protect the client's private information.
- Employs authentication and encryption technologies as well as secure transmission systems and storage mechanisms.
- Follows policies and procedures to ensure that client records cannot be accessed by unauthorized users, tampered with or destroyed, and are protected at both the originating and remote sites.
- Secures all physical devices used in telepractice and when storing information related to telepractice services.
- Maintains awareness of current and emerging risks to client privacy inherent to telepractice practice and employs

technical, administrative, and physical controls to address these risks.

## Safety Considerations and Adverse Events

HCPs must consider the various safety issues that are possible within this type of practice, which may include:

- Failure of the communication technologies used to provide services.
- Client medical emergencies (e.g., falls, injuries, heart attack, stroke).
- Other emergencies (e.g., fire).

All HCPs are responsible for considering the potential critical events that they faced within their practice and for developing plans to manage such events.

At no time should HCPs compromise the quality and safety of healthcare services by delivering telepractice services that are inappropriate or unsafe.

## Safety Expectations

The HCP:

- Obtains access to appropriate technical support for trouble shooting in the event of technical difficulties.
- Tests all technologies before client appointments to ensure the system is functioning well.
- Has an alternative method of contacting the client and provides the client with an alternate way of contacting the HCP. (e.g. in the case of an internet failure, you must be able to telephone the client)
- Has a safety protocol in place in the event of an emergency or adverse event, including:

- Contact information for local emergency services.
- Contact information for others within the client’s environment (care providers, family members), and client consent to contact these individuals in the event of an emergency or adverse event.
- Plans and procedures to follow to manage adverse events while waiting for assistance to arrive.
- Plans and procedures for managing adverse events that do not require assistance from a first responder.
- Should also be aware of other service providers in the client’s area that they may refer the client to in the event of a client adverse event or complication.
- Facilitates the transfer of care to another service provider if the HCP or client determines that telepractice is not appropriate.

## Competence

HCPs must consider if they have the knowledge, skills, and abilities to safely and effectively engage in the practice. They should also actively seek out education, support and advice to ensure they are using these technologies appropriately and effectively and to further develop their knowledge and skills.

## Competence Expectations

The HCP:

- Ensures their competence to use the technology.
  - Understands the system’s capabilities and limitations.
  - Has technology supports available if needed.

- Evaluates and develops their competencies to support the use of these technologies.
- Develops skills related to the delivery of services using telepractice technologies.
  - Assessment and outcome measurement(s).
  - Development of rapport and the therapeutic relationship.
  - Provision of interventions using a third party or delivered by the client at the direction of the HCP.

## Documentation and Billing

Services delivered via telepractice are subject to the same standards as in-person healthcare services; however, several additional documentation and recordkeeping considerations must be addressed.

## Documentation

The HCP:

- Retains accountability for evaluating any information gathered from a third-party source (such as a non-HCP health provider physically co-located with the client), to 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.
- Retains any video or audio recordings generated as part of telepractice interventions as part of the client record and these are kept confidential and in a secured space.

## Billing

Self-employed HCPs are required to provide fee

schedules and invoices/receipts that are transparent, accurate, and comprehensive. When delivering services using telepractice, the HCP:

- Ensures that the client is aware of what services can be expected in return for fees charged.
- Provides receipts that reflect that healthcare services were delivered via telepractice.

## **For More Information**

Visit our website at [www.clpnm.ca](http://www.clpnm.ca) for more information and resources.

Contact us with questions at:  
463 St. Anne's Road  
Winnipeg MB R2M 3C9  
Phone: 204-663-1212  
Toll Free: 1-877-633-1212  
Email: [info@clpnm.ca](mailto:info@clpnm.ca)

## **About the CLPNM**

The CLPNM is the governing body for the licensed practical nursing profession in Manitoba. Mandated to govern its members in a manner that serves and protects the public interest, the CLPNM establishes practice requirements for the provision of safe and effective nursing care.