



The College of Naturopaths of Ontario

Regulatory Guidance

Obligations When Changing or Closing a Practice Location

When a registrant moves to a new practice location, or retires, sells, or closes a practice, there are certain College requirements for notifying patients and maintaining patient records.

NOTIFYING PATIENTS

The [Code of Ethics](#) states a registrant is to continue to provide services until another suitable practitioner has assumed responsibility or until the patient has been given reasonable notice of termination of care. If a registrant will no longer be available to continue treating their patients, then patients are to be provided with the names of other naturopathic doctors (ND) in the area or resources that will help them find another ND.

The College does not specify how far in advance a registrant must notify patients that they are moving or closing their practice. The expectation is that reasonable notice is given to patients depending on a registrant's circumstances and how far in advance a registrant knows when they will be leaving the clinic. In some cases, notification will be given weeks ahead while in other situations it may be months.

The College requires a registrant to notify patients, in writing, for whom they have current contact information. Written notification may be through a letter mailed to the patient or via email (provided the patient has consented to this form of communication). Additionally, other notification methods, such as website and social media posts, may be used.

The [Standard of Practice for Record Keeping](#) says that patients are to be notified in writing as to how they can access their patient record when a registrant moves, or the practice ceases operation. So, along with patients being informed that a registrant is moving, patients must also be made aware of where their patient file is located if they want to access a copy.

NOTIFYING THE COLLEGE

When a registrant moves or closes their practice, the College must be notified and provided with a forwarding address for a minimum of 10 years. For the sale of a practice or where a registrant has transferred the care of the files to another party, they are to inform the College of the sale or transfer, and in whose care and control the original records will be maintained.

It is also a registrant's duty to update their practice location within 14 days of a change of address. To do this, the registrant needs to log on to the College's website and make the necessary changes to their personal profile.

The College must also be notified of any change of practice location for a registrant who performs IVIT. To do this, the Designated Registrant for the IVIT premises is required to

complete the [Change of Designated Registrant, IVIT Registrants or Health Profession Corporations form](#) with the name of the registrant who is leaving the premises.

MAINTAINING ORIGINAL PATIENT FILES

It is the registrant's responsibility to ensure their patient files are maintained and retained according to the expectations outlined in section 8 of the *Standard of Practice for Record Keeping* for a period of at least 10 years after the date of the last entry or following the patient's 18th birthday in case of a minor. If a registrant dies, the responsibility for the maintenance and transfer, if applicable, of the records lies with the estate. If the practice is sold to another registrant, all original records are transferred to the purchasing registrant and maintained according to the standards of the College.

When a registrant leaves a clinic, the question about who owns the original patient files often arises. If there is a written agreement identifying the owner of the files (i.e., the clinic owner or the registrant), then the registrant is expected to abide by that agreement. If a written agreement was not created, then it is the responsibility of all parties to act professionally and come to an agreement to ensure patient records are transferred and retained in accordance with the College's standards. Regardless of who is the designated owner of the patient records, a registrant must keep in mind that the records must be maintained as outlined in the *Standard of Practice for Record Keeping*. Please note that the College does not give legal advice, and naturopaths should consult with a lawyer before entering into or executing any contracts or agreements.

It is important to remember that when a practice arrangement between two or more health care practitioners ends, each practitioner is responsible for ensuring that disputes between them do not affect the ongoing care of patients. The contract should not provide any terms which would in any way prejudice the future treatment of patients, restrict patients' rights to choose their naturopathic doctor, or limit the access of the patient to their naturopathic health records. While the original patient record may be stored in one location, the patient has the right to obtain a copy of the record and request transfer of care to the naturopathic doctor of their choice.

The [Information and Privacy Commissioner has guidelines](#) for practitioners to follow so that patient health records are properly safeguarded after a change in practice location.

COPIES OF THE PATIENT FILE

A patient has the right to access a copy of their patient record. When a copy is to be provided to a person other than the patient or their authorized representative, a registrant must obtain written consent from the patient or their authorized representative. This consent is required even if the new naturopathic doctor taking over the patient's care is in the same clinic as the previous ND. A clinic owner is not permitted to make copies of patient files before a registrant leaves the clinic and takes the originals to a new location, without express consent from the patient.

A registrant may charge a reasonable fee to reflect the actual cost of reproduction, the time needed to prepare the material, and the direct cost of sending the material to the authorized party. A registrant shall not require prepayment of this fee. Non-payment of the fee is not a reason for the registrant to withhold the information.

A registrant never provides any information about a patient to anyone other than the patient or their authorized representative without the express consent of the patient or an authorized representative. Registrants may be required to provide patient information by law, such as when requested by the regulatory College, when there is a risk of harm to the patient or other persons, or the health care professional is within the patient's circle of care.

When changing practice locations, for whatever reason, there are many things to take care of and it is typically a busy time. As a registrant of the College, it is the ND's responsibility to ensure that patients and the College are fully informed of the changes and that patients will have continued access to their records and to naturopathic care.

CHECKLIST

Notified patients in writing that you are moving or are no longer available to provide naturopathic care at that clinic.

Provided patients with names of other naturopathic doctors in the area or resources that will help them find another ND.

Provided written notification to patients as to how they can access their patient record.

Updated practice location information in your profile on the College's website.

The Designated Registrant submitted the Change of Designated Registrant, IVIT Registrants or Health Profession Corporations form for registrants who perform IVIT.

Ensured that the original patient records are maintained according to the *Standard of Practice for Record Keeping*.