

Policy Statement 3

Record retention

Policy

No agreement between or among massage therapists or between a massage therapist and other health care providers can supersede the individual massage therapist's duty to a client with respect to the keeping of health records.

The client records exist as a guide for the therapist as well as his or her associates or successors. Massage therapists when commencing employment or entering into group practice should develop an agreement that explicitly covers procedures for record storage in the event of termination of employment, partnership or other agreement, or closing, relocation or selling of a practice.

It is the duty of a health care professional not to abandon a client. It is the position of the College that a departing massage therapist has a responsibility to contact clients and notify them that he/she is leaving a practice. This may be done in person, by telephone or by letter. The purpose of this contact is to assist clients with transfer of care to another provider, if necessary, and to advise them of how they can access their health records in the future.

Guidelines

On commencing employment or entering a group practice

Employment Agreement

When commencing employment or entering into a group practice, the massage therapist should develop an agreement that explicitly covers where records will be stored (by the facility or the massage therapist) upon termination of the relationship with the facility.

If the facility is maintaining the original records, a copy of the records should be kept by the massage therapist or an agreement reached allowing the massage therapist access to the records as needed.

If the massage therapist is keeping the client records, the facility should be provided with information on the massage therapist's new practice location so that clients who wish to access their records can contact the massage therapist to do so. In addition, the massage therapist may write to the clients advising them whom to contact to obtain a copy of their records.

Closing a practice

A massage therapist closing a practice due to retirement or relocation out of the area should give clients as much notice as possible that the practice is closing, and assist clients with the transfer of their care to another provider. Advise clients that the therapist is required to keep their records for 10 years. The retiring massage therapist may store the records or may appoint a custodian who will store and monitor access to the records. If the member has died, his or her estate may elect to store the records and respond to client requests for information, or may choose to transfer the records to another individual who will act as custodian.

Selling the practice

A massage therapist selling a practice should give clients as much notice as possible that the practice is being sold and should facilitate the transfer of care to the new practitioner or respect clients' wishes if they decide to choose a new practitioner not associated with the clinic. Advise clients of what arrangements have been made for storage and access to records and respect the wishes of clients who choose to have their records transferred to another provider.