



## Telepractice Policy

This Telepractice Policy refers to electronic dietetic practice outside of the province where the dietitian is registered.

The Nova Scotia Dietetic Association's paramount objective is to serve and protect the public interest. Dietetic regulatory bodies support dietitians to deliver high quality, client-centered services within the current practice environment. The regulation of health professionals in Canada is authorized in provincial law and therefore professional requirements differ slightly from province to province.

### Definition

Electronic practice is defined as the provision of dietetic service (e.g. counseling, providing information and advice) via internet, email, telephone, videoconference or other electronic means to the public and to individual clients, also referred to as patients. Electronic dietetic practice refers to communication with clients or patients using aforementioned mediums across provincial, territorial or national borders.

For the purpose of this policy, electronic dietetic practice does not refer to communication and consultation between dietitians or other health professionals across borders.

### Benefits and Limitations of Electronic Practice

#### Benefits:

- Services can be provided in a more timely manner
- Services can be delivered at a lower cost to the client
- Improved access to services (not limited by geographic location)
- Professionals can improve the quality of the services they deliver (e.g. less time spent on travel therefore more time to participate in continuing education or research)
- More efficient use of time for dietitian (e.g. less time to travel)
- Improved access to follow up care

#### Vision

We are an innovative, trusted, and effective regulator that models collaborative leadership to create a culture of excellence which embraces and supports a dynamic scope of practice and the professional expertise of dietitians and nutritionists in their fields of practice.

Key values: INNOVATION, TRUST, EFFECTIVENESS

#### Mission

The College effectively regulates dietetic practice in the interest of Nova Scotians.

**Limitations:**

- Effectiveness of communication i.e. Lack of face-to-face contact between practitioner and client may reduce or be perceived as reducing quality of care
- Limited availability of assessment information
- Potential for breach of confidentiality and communication failure
- Potential for unauthorized practice
- Potential for providers to practice outside of their scope of practice
- Potential for telepractice to be favored for cost savings when direct contact may be more appropriate
- Limited ability of regulators to effectively enforce professional standards and obligations due to difficulty of a regulatory body conducting investigations in other jurisdictions.

**Lawful Practice and Legal Jurisdiction**

Laws vary from province to province with regard to electronic practice across provincial borders. Each jurisdiction has the discretion to require dietitians to register in the province where the client resides. Dietitians must comply with registration requirements and adhere to the scope of practice in the province(s) where the client resides. Refer to [www.nsdassoc.ca](http://www.nsdassoc.ca) under the resource section for a list of Canadian dietetic regulatory bodies.

Dietitians must comply with registration requirements and adhere to the scope of practice in the province(s) where the client resides.

**Registration Requirements**

Dietitians practicing electronically across provincial borders must know every province's stance with respect to whether registration is required in the province where the client resides.

With the exception of British Columbia and Saskatchewan, when a dietitian engages in electronic dietetic practice with a client outside of the province where they are registered, it is generally accepted that the dietitian is held accountable to the college where she/he is registered.

Therefore, dietitians providing electronic service to clients outside of the province where they are registered may not always need to be licensed in the province where the client resides. This protects the public by ensuring that a dietitian providing electronic dietetic services out-of-province is licensed and also prevents the need for dietitians to register in multiple provinces.

It is generally accepted that the dietitian is held accountable to the college where she/he is registered.

## Lawful Scope of Practice

In electronic practice, the dietitian must be aware of and comply with the controlled practice activities (e.g. restricted activities, controlled acts, and scope of practice) and authorization practices/mechanisms in the province where the client resides, as well as the province where the dietitian resides.

- a. The dietitian may not practice a restricted activity in the province where the client resides unless also licensed to practice the restricted activity in that province. For example, a dietitian registered in Nova Scotia may not provide “psycho nutrition therapy in the treatment of disordered eating” via telepractice to a client living in Alberta, as this is a restricted activity in Alberta. Currently, British Columbia and Alberta license dietitians to perform restricted activities, and Ontario dietitians have authority to perform a controlled act. Further, once Nova Scotia's regulations are approved, dietitians in Nova Scotia will have the ability to prescribe specific medications, order lab data and perform several activities that are restricted activities in other provinces.
- b. Dietitians must also be aware of additional authority mechanisms that must legally be in place in order for some activities to be carried out. For instance, when Nova Scotia dietitians have the ability to prescribe specified medications, pharmacists outside of Nova Scotia will not have the authority to dispense the medications.

## Principles of Client-Focused Electronic Practice

### Accountability

The public benefits from increased access to dietetic expertise through electronic dietetic practice. However, as public safety is the regulatory mandate, the public needs to know that their dietitian is registered and accountable through a provincial dietetic regulatory body. Registration with a regulatory body ensures that dietitians have met specified qualifications to practice dietetics, that they practice in keeping with established professional standards, and that clients have a way to raise a concern and lodge a complaint. With few exceptions, current dietetic legislation and policy in Canadian jurisdictions do not address electronic dietetic practice, however it is generally accepted that a regulatory body has jurisdiction over the conduct of dietitians registered with them wherever the conduct occurs.

## Transparency

Dietitians providing or offering to provide services via electronic means across borders must inform clients of the jurisdiction(s) where they are registered and limitations of e-practice. For example, the client needs to understand that complaints about the dietitian's conduct would have to be made to the regulatory body in the jurisdiction where the dietitian is registered, and not necessarily the jurisdiction in which the client resides.

Dietitians should use the title *dietitian* to provide clarity to the public, as designations differ amongst provinces, but the title *dietitian* is consistent in all provinces and the use of other titles (e.g. nutritionist, nutrition consultant) may confuse their professional status.

Dietitians must provide electronic information, including email and website addresses, blogs or any other interactive electronic address to NSDA.

## Duty to Clients

Communication with a client through electronic dietetic practice constitutes a dietitian-client relationship in the same way that any in-person interaction would constitute a dietitian-client relationship. The dietitian has a duty to provide care to clients in a manner consistent with care provided in person and to adapt the duty to the medium. For example, with regards to confidentiality, the dietitian would identify those who are able to observe the interaction (e.g. others in a room during a telephone call). The same professional obligations that exist for consent, confidentiality, and security of information in face-to-face dietetic services also exists for electronic dietetic services.

- a) As part of obtaining informed consent when providing electronic dietetic service, the dietitian must clearly disclose limitations and risks of electronic dietetic practice (including risks associated with confidentiality), their name, registration status, jurisdiction(s) in which registration/license is held and contact information for their registering/licensing jurisdiction.
- b) Competent services – Dietitians should be competent in the use of the technology used in their practice and address the limitations of technology in terms of care provided to their clients and security of client information.
- c) Collaboration – Dietitians will refer clients to other health care professionals when a client's needs exceed the dietitian's professional abilities.
- d) Professional Practice - Dietetic assessment, intervention and recommendations must be evidence-based or in accordance with best practice, and in accordance with the ethical

and practice standards of the province where the dietitian is registered. Record keeping also needs to be in accordance with the ethical and practice standards of the province where the dietitian is registered. If the standards of practice of the profession cannot be met by services provided electronically, the dietitian must refer the client elsewhere. Dietitians must not attempt to exempt the services provided electronically from compliance with standards of practice and ethical behavior by obtaining releases or disclaimers from the client.

- e) Many provincial dietetic regulatory bodies require dietitians to carry professional liability insurance. It is advisable to carry professional liability insurance if engaging in electronic practice and to ensure that coverage includes such services.

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