

Welcome! To enhance communication and education of our members, the College has developed a *Practice Question of the Month* five-minute module series.

The August 2009 module will provide information to Registered Dietitians on the Circle of Care.

Note that you may need temporarily disable your pop-up blocker on your computer to access the resources links in this e-learning module.

Please take the time at the end of the module to fill out a short survey. We appreciate your input and value your feedback.

Now let's begin...




Practice Scenario Set-Up

- Sam is an RD who works in a private practice clinic.
- One of Sam's clients is seeing a Psychologist to manage some mental health issues.
- Sam is worried about this client and would like to discuss his concerns with the Psychologist.

Sam is an RD who works in a private practice clinic. One of Sam's clients is seeing a Psychologist in another independent facility to manage some mental health issues.

During a recent nutrition counselling session, this client reported some information that left Sam worried about the client's well-being. Sam would like to discuss his concerns with the client's Psychologist.

 College of Dietitians of Ontario

Does Sam need to obtain client consent before contacting the Psychologist?

☐ A) Yes

☒ B) No

Does Sam need to obtain client consent before contacting the Psychologist?

Please select the most appropriate answer to this practice question and click submit when finished.



Answer: No

- Under the *Circle of Care*, Sam may contact the Psychologist disclosing information relating to health care.
- Client consent to contact the Psychologist is not required.
- *Circle of Care* can cross institutions

The correct answer to this practice question is *No*.

Under the *Circle of Care*, the law permits Sam to disclose personal health information to the Psychologist for the purpose of providing or assisting in providing health care to his client.

Therefore, formal client consent to contact the Psychologist is not required.

It is important to note that the *Circle of Care* can cross institutional boundaries.



Circle of Care

- Health information custodians and their authorized agents are permitted to rely on a client's implied consent when collecting, using, disclosing or handling personal health information for the purpose of providing direct health care.

Although the *Circle of Care* is not a defined term under the *Personal Health Information Protection Act* (2004), the Information & Privacy Commissioner's Office of Ontario has developed a working definition.

The Information & Privacy Commissioner's Office has defined *Circle of Care* as a term of reference used to describe health information custodians and their authorized agents who are permitted to rely on an individual's implied consent when collecting, using, disclosing or handling personal health information for the purpose of providing direct health care.



Best Practice

- Inform clients about:
 - The collection, use and disclosure of personal health information
 - *Circle of Care*
 - Clients have the right to control who has access to their personal health information

In taking on new clients it is best practice to be transparent about how personal health information will be collected, used and disclosed. Clients should be aware that under the *Circle of Care*, personal health information may be shared with other health care providers for the purpose of providing or assisting in providing health care to clients.

Above all, clients have the right to control who has access to their personal health information.



Exceptions

- Client explicitly states that Sam may not contact the Psychologist
- In emergencies or other urgent circumstances
- Refer to: [Disclosure of Information Permitted in Emergency or other Urgent Circumstances](#)

There are some exceptions to the *Circle of Care* under the following conditions:

Sam is not permitted to contact the Psychologist if his client has explicitly stated this restriction.

In an emergency and limited other situations, personal health information may need to be disclosed appropriately in a timely fashion, even if the client's consent (implied or otherwise) has not been obtained. Therefore, health care providers are permitted to share personal health information in emergency situations.

The Information & Privacy Commissioner's Office of Ontario has developed a fact sheet titled: *Disclosure of Information Permitted in Emergency or other Urgent Circumstances*.

Click on the link on this slide to access this resource.



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Helpful Resources

Winter 2005 *résumé*:

[The Circle of Care & Consent to Treatment](#)

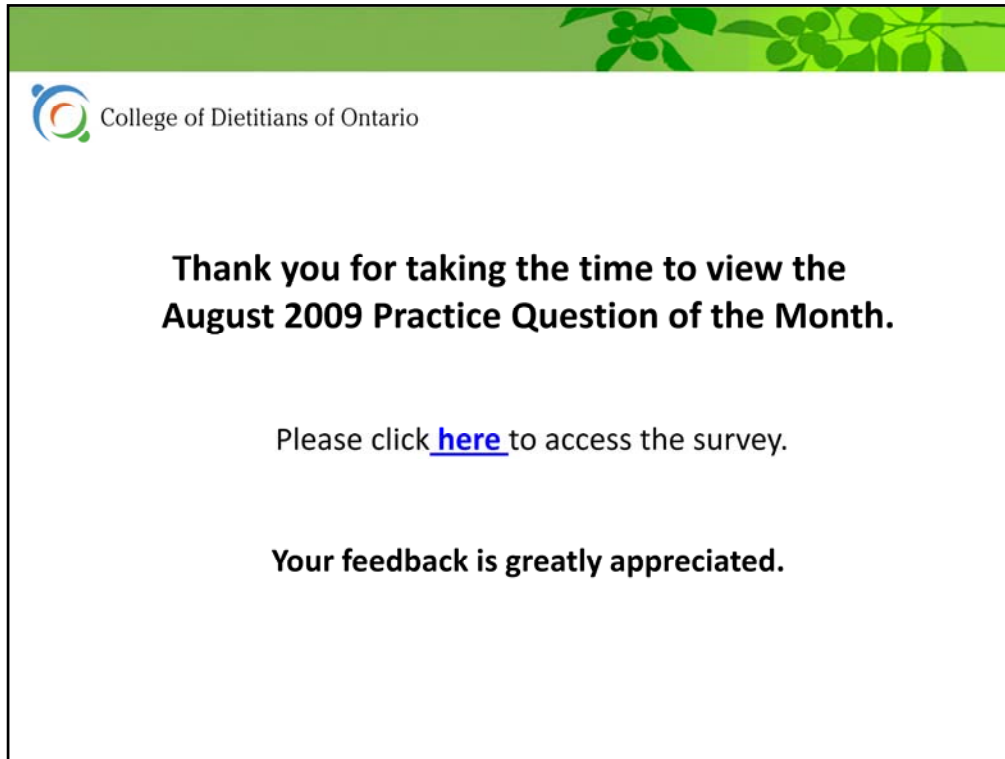
Information and Privacy Commissioner/Ontario:

[Circle of Care Sharing Personal Health
Information for Health-Care Purposes](#)

The College has also written a helpful article regarding *Circle of Care* in the Winter 2005 issue of *résumé* newsletter.

In addition, the Information and Privacy Commissioner's Office of Ontario has developed a resource titled: *Circle of Care Sharing Personal Health Information for Health-Care Purposes*.

Click on the links on this slide to access these resources.



Thank you for taking the time to view the August 2009 Practice Question of the Month on the *Circle of Care*.

Please take a moment to click on the link on this slide to fill out a short survey regarding this five-minute e-learning module.

Your feedback is greatly appreciated.