

Documentation and Record Management

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Documentation and Record Management

PURPOSE

This guideline addresses the responsibilities of all College of Speech and Hearing Health Professionals of BC (CSHHPBC) registrants and communication health assistants in the preparation, maintenance, communication, retention and disposal of clinical and related records.

CSHHPBC recognizes that variations in practice settings (e.g., public versus private practice), types of services provided (e.g., assessment, diagnosis, treatment/intervention, dispensing of hearing instruments, etc.) will impact the type of documentation required. The application of these guidelines will depend on the clinical context in which registrants find themselves. Clear, concise, timely and accurate records are an essential component in the delivery of speech-language pathology, hearing instrument dispensing and audiology services.

BACKGROUND

The registrant or the agency where the client's health record is held is considered to be the legal owner of the record as a piece of physical or electronic property. The information in the record, however, belongs to the client. Clients have a right of access to their records and to protection of their privacy with respect to the access, storage, retrieval and transmittal of the records. The rights of clients and obligations of public agencies are outlined in the Freedom of Information and Protection of Privacy Act (FOIPPA) and are often summarized in agency policies.

FOIPPA provides the legislative framework for information and privacy rights. This act applies to all public bodies including health authorities, hospitals, schools, agencies, CSHHPBC and other similar organizations. The legislation gives the public a right of access to records held by one of these public bodies. Individuals have a right of access to personal information about themselves (including their health records) and a right to request correction of such information. FOIPPA also prevents the unauthorized collection, use or disclosure of personal information by a public body.

Registrants in non-publicly-funded agencies need to be aware of the requirements of the Personal Information Protection Act of BC (PIPA) and other laws dealing with privacy. The purpose of PIPA is to govern the collection, use and disclosure of personal information by organizations including private offices. It is important that in a private business, there is a "privacy officer" assigned who is required to ensure information is handled appropriately. Employees must be made aware of their responsibilities for handling personal information and how it will be used and disclosed; take reasonable steps to ensure protection of information against theft, loss, unauthorized use, disclosure, copying, modification and disposal, and ensure that client requests for information or access to their information under PIPA are answered promptly and appropriately.

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DEFINITIONS

Client: Any person to whom services are provided including but not limited to hospital patients, outpatient and private clients, residents in long-term care facilities, preschoolers in agencies, and school-age students in educational institutions.

Client waiver: is a written waiver signed by the client declining physician referral or consultation based on informed consent

Late Entry: A late entry is an entry occurring outside acceptable time limits set by agency or employer policy or one that is out of chronological order.

Minor: a person under the age of 19 years.

Person with a disability: Persons with a disability is someone who is incapable of or substantially impeded in managing their affairs.

Primary documents: include assessment and diagnostic reports, consultations, progress letters or reports, discharge summaries and any formal letters and correspondence.

Record: Information in any form or medium, including notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers, papers and any other information that is written, photographed, recorded or stored in any manner. In addition to individual clinical records, there may also be a need for administrative or business records, equipment service records, financial records or transitory records.

Screening: a test or preliminary investigation (prior to an assessment) to determine the presence or absence of a problem, usually with pass or fail results

Secondary documents: include but are not limited to diagnostic information, test protocols working documents, progress notes, appointment notices.

Transitory documents are for short-term use and are not part of an official record-keeping system. They may include documents used for a temporary purpose (e.g., phone messages, post-it notes, invitations, etc.), copies of main records (e.g., working files or ghost files), unsolicited materials and draft reports that were used in the preparation of formal documents. Transitory records do not include any documents that fall into another record category.

TYPES OF RECORDS

Administrative or Business Records

Administrative or business records are typically maintained by the employing agency regarding the day-to-day operations of the business.

Clinical Records

Clinical records contain details related to services provided to the client. They are kept in the client's individual file or chart, which may be paper or electronically based. Clinical records serve multiple purposes, including:

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- justifying the need for the service or intervention
- delineating the care plan
- documenting effectiveness of service(s)
- communicating the delivery of the professional services
- promoting continuity of care
- providing a legal record of events

Equipment Service Records

Equipment service records are necessary when the proper functioning of equipment may impact client health and safety or the accuracy of assessments or testing results

Financial Records

Financial records ensure effective financial management, controls, reporting and compliance with applicable laws. They are necessary for tax-related purposes as required by the Canada Revenue Agency. As with all businesses, registrants who work in private practice or non-publicly-funded settings should maintain an effective and efficient accounting system. This system should include cash records, customer records, supplier records, employee records, capital equipment records and office records. Sales agreements form part of the financial records and registrants who sell supplies or equipment including hearing instruments should be familiar with Policy QA-09 Sale of Supplies and Equipment.

CONTENT PRINCIPLES FOR CLINICAL RECORDS

Clinical records should be based on the following principles:

- All entries should include the date, name and professional designation(s) of the person documenting the information.
- Documentation should contain accurate, legible, precise and objective information supported by facts.
- Judgment and derogatory remarks should be avoided.
- Records should be clear and proofread to minimize the chances of any ambiguity.
- Records should be concise—point form is acceptable.
- Correct spelling and common terminology should be used.
- Abbreviations should be refined by writing the term in full first, e.g., therapy (Tx), and subsequently the abbreviation can be used.
- Potentially confusing abbreviations should be avoided, e.g., drug names and administration.
- Countersignatures are not required for communication health assistants.

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- Late entries should be noted as late and include the date and time of the actual event described in the late entry.
- Formal reports should be signed by the registrant who is responsible for the client. Communication health assistants do not write or sign formal reports.
- Only one final version of a formal report or document should exist—modified versions should be considered transitory records and be destroyed appropriately. The same report content in more than one medium (e.g. electronic and hard copy) is considered one version of a report if the content is identical.
- Reports or documents written by a student must be co-signed by the supervising registrant and noted as “reviewed by” plus a signature and professional designation (e.g., this report has been read and reviewed by J. Doe, RSLP/RAUD/RHIP). * *(Exception: Registration policy 02 states that HIP students, who meet the education requirements as substantially equivalent and have at least five years dispensing experience from another jurisdiction may be employed in off-site/remote locations during the fulfillment of practicum requirements, under a supervision plan approved by the Registrar. These HIP students do not need a co-signature for their reports, audiograms or verifications).*
- If two or more registrants are involved in the provision of care, individual registrants may document and sign for care that they have provided. Alternatively one registrant can complete the documentation and identify what care was provided by which registrant.

CORE COMPONENTS OF RECORDS

Administrative or Business Records

Depending on the nature and size of a private practice, a registrant may be required to maintain some or all of these types of business records, including but not limited to:

- personnel and human resource files (including resumes, applications, criminal record checks)
- reference checks
- performance evaluations
- disciplinary records
- registration information
- benefits, leaves, termination and layoff information
- student information (including practicum and evaluation information)
- occupational health and safety documents
- legal documents (e.g., liability insurance, corporate documents, business licenses)
- log books (e.g., mileage and telephone logs)
- fixed assets and capital equipment
- operational manuals (e.g., emergency procedures)

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Clinical Records

Client Identification

Client identification should include:

- complete name of client or unique identifier on each page of record
- identification of parents, legal guardian(s) or decision maker(s)
- date of birth
- client identification number or other identifying process
- third-party numbers (e.g., Veterans Affairs Canada)
- contact information

Case History Information

Pertinent case history information must be documented for each client. Case history information must include all related medical and educational information that influences the care and services provided by the registrant (e.g. medications, allergies). This should also include developmental information that is pertinent to the care provided. Information contained elsewhere in a medical chart does not need to be repeated extensively if the registrant information will be part of the same record. The information can be referenced to avoid duplication and repetition of information. Anecdotal information received from a third party (e.g., parent) should be recorded as such in the case history information. Medical diagnoses pertinent to the care and services to be provided should be documented. For long-term clients, medical and related information may need to be updated periodically, particularly if the client's health status has changed in any significant way. Significant relates to any health changes that would positively or negatively affect the client's achievement of their objectives.

Referrals

Referrals to other health care team members should be documented as well as any work outsourced to a clinic, lab or agency. Client refusals of a referral should also be noted.

Referrals received by the registrant should be noted including the reason for referral.

Screening

The outcome of any screening should be documented including the "go forward plan" for any client who does not pass the screening that was administered. The requirements for mass screening events should follow agency policy for that specific event. The plan may vary depending on the clinical context and may include referral(s) for further investigation, an additional screening, a formal assessment etc. Outcomes of mass screening programs should be documented in accordance with agency policy.

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Assessment and Diagnosis

The core components of any assessments and diagnostic testing should be recorded, including the outcomes of such testing, any consultation with client/caregivers that occurred and the specific diagnoses, where applicable. Formal results form part of the assessment and diagnoses. Transitory records should be appropriately destroyed (see Disposal of Records) once the formal assessment /diagnosis report is complete. Assessment/diagnostic reports should be recorded as soon as possible following the completion of the session(s). Clients should be notified when they can expect the results, and an explanation of any significant delay should be provided.

Care Plans (Plan of Care), Treatment and Interventions

Depending on the clinical context, the care plan may be a stand-alone plan or may form part of a larger, comprehensive inter-professional care plan for the client. The registrant's portion of the care plan should include but not be limited to the:

- urgency and priority of treatment
- treatment options and alternatives
- risks to various treatment options, including those pertaining to no treatment
- recommendations, instructions and advice provided, together with pertinent client comments
- discussion of financial implications and payment options
- information provided about services that are to be provided or augmented by another registrant or by communication health assistants
- client's decisions with respect to choice of treatment
- client's informed consent where applicable (see Consent) including consent for services provided by communication health assistants
- planned schedule of follow-up, reassessment or outcome assessment, depending on the treatment plan
- objectives of treatment and intervention and expected outcomes
- changes to the care plan and any associated rationale for the change(s)
- any agreement to assign or delegate services to communication health assistants must be documented by the registrant in the location that is according to agency policy and where a policy does not exist the registrant must document the agreement in the client record.

Progress Notes

Progress updates should be documented for all service provision. Updates should be well-organized, legible, and provide a comprehensive description of the care provided. Participation and progress should be noted for individual service as well as for services involving a group of clients.

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Communication health assistants, who are delegated to by a registrant, must chart their notes in the clinical record and must sign the entries with their name and title. Counter signature by the registrant is not required.

Progress notes should include, but are not limited to the:

- date(s) of intervention
- registrant's name and designation
- objective that the treatment /intervention relates to
- outcome of any testing conducted
- type and quantity of local anesthetic administered (where applicable)
- materials used or provided
- recommendations, instructions, explanations or advice given to the client
- changes in client status (positive or negative)
- complications and adverse events, including who was advised of the incident and what options were available to address it
- proposed follow-up or next intervention planned

If office staff are relied upon to document the registrant's chart entries, the registrant is expected to sign or initial each entry after reviewing it for accuracy and completeness. Entries made by dictation must be initialed by both the registrant and the writer.

Equipment Service Records

Calibration and inspection of equipment as per the manufacturer's standards (i.e., daily, weekly, monthly, annually or as required) should be documented in a record that includes the date, service provider and where the service was completed in case future follow-up is required.

Financial Records

The financial records for clients must include:

- a copy of any agreement with the client or representative
- the date and amount of all fees charged
- the date and amount of all payments made and method of payment
- an itemized list of services and supplies provided
- copies of all claim forms for the client
- any agreement for payment from a third party
- statement of the timeline for which an agreement is in effect

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LOGISTICS FOR CLINICAL RECORDS

CONSENT

Informed consent is based on the right of each person to determine what will be done to his or her own body. It is a process that ensures that each client understands the risks and benefits of each treatment or service option presented as well as the costs involved. The client has the right to refuse any service or treatment, to consent to service or treatment and to withdraw consent at any time. The standard for client-centered consent is based on what information does the client reasonably need to know, in the client's position. The information provided is client specific and in order to be "informed," the information should include the diagnosis or problem noted, the treatment/intervention alternatives available, the risk and benefits of intervention and the estimated cost of each option (if applicable), the nature and purpose of the treatment and the likely consequences of not having the treatment.

~~**Implied consent** means that a client's consent can be inferred by their actions (e.g. comes to your office for an assessment) and may be acceptable if the client comes to the registrant and the services are non-invasive and pose little or no risk to the client.~~

~~**Express consent** should be obtained when any treatment or service poses a potential risk to the client, even if the likelihood for complications is low.~~

~~The registrant should be certain that the client (or their representative) understands the information and has consented to the intervention or treatment. Oral consent is legally acceptable but where there is significant risk to the client, written confirmation should be secured. There is no age of consent in British Columbia (BC). If the registrant is of the opinion that a client is capable of providing his or her own consent, then the registrant can rely on that consent. Consent for payment of the treatment may be a separate issue. A legal guardian or other substitute decision maker must consent to services for incompetent clients or children who are not capable of understanding information that is relevant to making a decision about the treatment and not able to appreciate the reasonable consequences of a decision or lack of a decision. Client consent for research or educational purposes is required unless all identifying information has been removed and the client's anonymity is protected. It is the registrant's responsibility to ensure that clients or their representatives have consented to service(s) provided by a support person, trainee or student and that this consent or revoking of consent has been documented (see CPG-06 Use of Communication Health Assistants). Registrants should be familiar with the BC Health Care Consent Act.~~

Registrants must adhere to the practice standard entitled Client Consent (SOP-PRAC-06) and the adopted clinical practice guideline entitled: Health Care Providers' Guide to Consent (CPG(A)-12).

Supervisory Responsibilities

Registrants may have clinical, supervisory responsibilities related to other registrants (e.g., conditional active registrants and advanced competency certificate applicants), communication health assistants, and students. The clinical supervisor is responsible for overseeing the work

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others have completed and for ensuring that supervisees have documented appropriately. The clinical supervisor may not necessarily be the supervisee's administrative or reporting supervisor. In some instances, supervisees may have more than one clinical supervisor, for specific clients, in the course of their training period or in the provision of their services. In situations where the clinical supervisor is responsible for signing documents, the supervisor has a responsibility to be familiar not only with the client's case (including their individual needs) but also with their wishes, risks and goals related to the care.

If the registrant who is the author of a report or letter is unavailable to sign the document, a supervisor may sign off and be clear who the report was written by. For example, this report was written by J. Doe, RSLP/RAUD/RHIP and reviewed by J. Smith, RSLP/ RAUD/RHIP.

Referral Documentation

Referrals to other health care providers or service providers should be documented. Client consent is required in order to send or provide client information to any third party. Client refusal for referrals should also be noted.

Timeliness

Any employer or agency policies regarding timing of documentation should be adhered to.

In the absence of such directives, it is imperative that registrants document all required information as soon as possible after the service is rendered. Formal letters or reports should also be completed as soon as possible after the assessment and diagnosis. Clients should be informed of an estimated timeline for the letter or report to be available.

When it comes to preparing clinical documentation, there is no "one-size-fits-all" rule as to what time frame is required in every situation. Ideally, charting should be contemporaneous with the events described. Generally speaking, clinical observations and data and records of a treatment should be recorded concurrently with or as soon after the assessment/treatment as possible. As a matter of common sense, the longer the delay in making such records, the less reliable they will be. Some delay in writing up a clinical opinion interpreting those observations and data would not necessarily affect the reliability of the interpretation, provided that the underlying observations and data were recorded contemporaneously and accurately. Even so, delays should not be excessive. It is difficult to imagine a situation in which a delay of months would be acceptable. The degree of urgency for completion of the records could vary depending on the circumstances and is a matter of professional judgment. The factors to be considered would include the client's circumstances, the nature of the assessment/treatment provided, the role that SLP/Audiology services play in the overall context of the client's care, and the turnaround time requested or expected by the referring source.

Amendment of Records

Clients have a legal right to request access to personal records that are in the custody or control of a health-care setting, private-sector organization or public body. If clients believe that their personal information contains any errors or omissions, they may request the holder of the information to correct or amend the record. Requests should be made in writing. Registrants

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must make every reasonable effort to respond within legislated time frames and assist clients with their requests. If the registrant agrees with the change, they should inform the client in writing when the change or amendment has been made. It may be necessary to also inform any third party, who was previously sent the erroneous information, of the corrected information.

Registrants should not make a correction or amendment to a professional opinion or observation made by another health care provider or to a record that was not originally created by the registrant. In order to complete a correction or amendment, the original information must be maintained in the original form. The corrected entry or amendment should be inserted into the record, indicating the date, name and designation of the registrant making the correction or amendment.

MAINTAINING THE INTEGRITY OF CLIENT RECORDS AND INFORMATION

Confidentiality

Information in the health record is considered confidential. Disclosure of information to agency staff for the purposes related to care and treatment is implied upon admission, unless there is a specific exception established by law or agency policy. Client consent is required if the contents of the health record are to be used for research or education and the client can be identified or if any client information is to be transmitted outside the agency. Documentation must be produced according to agency policy when clients request access to their personal records, when CSHHPBC needs to inspect or investigate records, when a subpoena is provided or if a statutory mandate (e.g., child abuse) requires the release of the information.

Transmission of Records

Records being transmitted via email must be done so using a secure and confidential system. All identifying information should be removed from the email message. Password protection of electronically transmitted files containing personal information may be considered in situations where one has control over both the sending and receiving end of the electronic exchange. Verify email addresses of intended recipients prior to transmission and request an acknowledgement of receipt of the email and attachments (e.g. reports). Include a confidentiality statement on the email stating that the information is confidential, to be read only by the intended recipient and that emails received in error must be deleted without being read or printed.

Records being transmitted via facsimile must be sent via a secure and confidential system. Registrants should ensure that the recipient is available to retrieve the fax immediately or have made arrangements for secure storage at the receiving end. Verify fax numbers and distribution lists prior to transmission. Include a confidentiality statement on the cover sheet stating that the information is confidential and is to be read only by the intended recipient and requiring that facsimiles received in error must be destroyed without being read.

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Protection of Information on Personal Computers, Laptops and Mobile Devices

Registrants who store personal information regarding clients on personal computers, laptops, or other mobile devices must ensure that the information is protected in the event that the device is lost or stolen. Privacy statutes impose an obligation to take reasonable measures to guard against unauthorized access to information. Reasonable measure would include password protection using complex passwords, encryption and anti-virus and anti-malware software. In the case of an employing organization, the obligation to implement and enforce appropriate policies rests with the employer who would be considered the designated custodian of the information as designated in privacy legislation.

Retention of Records

Administrative or Business Records

Agency policy and local policy applies to the retention of business-related records that are not directly related to client care and services.

Clinical Records

For public employees (e.g., hospitals, agencies, schools), primary documents (e.g. reports) and secondary documents (e.g. test protocols) should be kept in accordance with agency policies. In some settings such as community care, public health and mental health settings, the length of time for adults is generally 10 years and for minors for 25 years from the date of last service. Registrants should ensure that they are aware of their agency's policies regarding retention as some settings (e.g., forensic mental health) may have longer retention periods.

Where record retention policies do not exist, and for registrants involved in private practice, primary client records for adults should be retained for a minimum of 16 years from the last date of service, which is within the new BC Limitation Act requirements. Clients have 15 years following service to file a claim or lawsuit. Registrant records may also be requested through a freedom of information request and may also be pertinent in a case involving another health care provider. Secondary records should be kept for a minimum of 6 years following the last date of service.

In the case of minors, where record retention policies do not exist, including private practices, primary records should be maintained for 16 years after the person turns 19. If a person has a disability, records must be kept for 16 years after receiving formal notice that the person's disability has ended. If formal notice is not provided or the disability has not ended, primary records must be kept indefinitely.

Records must be retained, even in the event of a client death as the estate may require information related to care and services. Electronic retention of records is acceptable.

NOTE: It is recommended that records for services prior to June 1, 2013 should be retained for 30 years under the old BC Limitation Act provisions.

Equipment Service Records

Records should be retained for 10 years from the date of the last entry.

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Financial Records

Records should be retained in accordance with applicable laws such as the Canada Revenue Agency. Generally, this is six years from the date of the tax year to which the records apply.

Storage of Records

Reasonable measure to guard against unauthorized access to information is required. Hard-copy client records should be stored in a secure location such as a locked filing cabinet or file room. Registrants employed by an agency should follow the file-management policies of their employer.

Disposition and Transfer of Records

MANAGING CLINICAL FILES WHEN CLOSING OR TRANSFERRING OWNERSHIP OF A PRACTICE OR CLINIC

In the event that a practice closes or is transferred to new ownership, the registrant is required to ensure that records are dealt with in an appropriate manner. Records should be transferred, as necessary and with client consent to another registrant. Clients should be given a choice of where they want their records transferred (i.e. another clinic or their home).

If a client requests a transfer to another clinic, for any reason, then records should be sent within two weeks of the request. The originating clinic maintains all original client records.

If the registrant is unable to provide ongoing management or storage of the client records on their own premises, client records should be put into commercial storage for custody. In accordance with the CSHHPBC bylaws, the registrant must notify the Registrar of the practice closure and what steps were taken with the client records.

Disagreements (e.g., payment) are not grounds to withhold the access to or transfer of records.

In no instance should a service fee be charged to the client or the receiving clinic, when there is a request to transfer a client record. Any sundry costs related to the transfer (e.g. photocopies) should be documented on a sales agreement (Policy QA-09 Sale of supplies and equipment).

Disposal of Records

After the appropriate time has elapsed, records should be destroyed. The security and confidentiality of records must be maintained during the disposal process. Generally accepted methods would include shredding, incineration or de-identifying personal and health information on the documents being discarded. A record should be maintained that includes the name of the clients, file number (if applicable), last date of service and date that the record or file was destroyed. The destruction of electronic records must render them unreadable and eliminate the possible reconstruction of the records in whole or in part.

REFERENCES

Alberta College of Speech-Language Pathologists and Audiologists. Clinical Practice Guideline: Documentation. Retrieved from www.caslpa.ab.ca

BC Health Care Consent and Care Facility Act. Retrieved from www.bclaws.ca

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BC College of Social Workers. Documentation. Retrieved from www.bccollegeofsocialworkers.ca

Canada Revenue Agency. Retrieved from www.cra.ca

College of Dental Surgeons of BC. Dental Record Keeping Guidelines. Retrieved from www.cdsbc.org

College of Registered Nurses of BC. Standards of Practice (Documentation) Retrieved from www.crnbc.ca

College of Occupational Therapists of BC. Documentation. Retrieved from www.cotbc.org

RELATED CSHHPBC DOCUMENTS

Client Consent (SOP-PRAC-06)

Health Care Providers' Guide to Consent (CPG(A)-12)

Documentation and Record Management (SOP-PRAC-01)

Use of Communication Health Assistants (SOP-PRAC-04)

Practicum Requirements for Student-HIP Applicants (POL-R-02)

Sale of Supplies and Equipment (POL-QA-09)