



PRACTICE ADVICE

PRIVATE PRACTICE ISSUES

DATE: 2005

ISSUES IN PRIVATE PRACTICE

Private practice work presents its own set of challenges, and members regularly contact the College for assistance in resolving difficult situations particular to their private practice. For example, the complexity of relationships that may arise between the member, institutions, other professionals, and patients/clients and their families can lead to challenging situations. Members also call the College with other enquiries regarding concerns ranging from private practice fees to record-keeping and advertising.

FREQUENTLY ASKED QUESTIONS

Q: I am employed by a school board and also maintain a small private practice. Parents of students I work with in the schools often ask me if I am available to provide private services to their child. Is this allowed?

The proposed [Conflict of Interest Regulation](#) details the conditions under which members may, independently of their employers, offer a private service that is also provided by the employer. To fulfill the conditions, the member must advise the parents that the service is indeed being provided independently of the employer, provide them with a list of other private speech-language pathologists, notify them of the private practice fees, and then have the parents express a preference for the member's services. Members are required to inform parents of other service providers to ensure that the parents are aware that they have the option of hiring a different speech-language pathologist. Members should also verify whether their employer has a policy in this regard, as some have elected to prohibit this type of arrangement.

Q: A local physician directed a client to my private practice. Upon being informed of the assessment results, the client clearly indicated that he did not want the results shared with his physician. The physician is calling me and insisting that since she "referred" the client to me, I have an obligation to provide her with assessment results. Should I forward my report to the physician?

It may be helpful in this situation to recall that the information in the patient/client record belongs to the patient/client and that the member's role is that of a caretaker or custodian of that information. The [Personal Health Information Protection Act \(PHIPA\)](#), states that in most cases, a patient/client may restrict the disclosure of information. In this situation, the client has clearly specified that the assessment results are not to be shared and the

physician's "referral" does not override the client's right to withdraw consent to disclose health information.

The member may wish to contact the patient/client to review the physician's request and verify that he still intends to refuse the disclosure of information. At times, members indicate that following discussions with the patients/clients, they remain unsure regarding the patient's/client's wishes. In that situation, a member could provide a copy of the report to the patient/client and indicate that the patient/client can choose to share the report with whom he or she wishes. Persons seeking disclosure could then be directed to contact the patient/client directly.

Q: I have extensive knowledge of, and experience in, remediation of fluency disorders, and I would like to make this the focus of my private practice. Can I present myself as a stuttering specialist in my business cards and brochures?

The Proposed [Regulation on Advertising](#) states that members may not refer to themselves as specialists unless they hold a specialist certificate from their College. Within the regulated health professions, terminology of specialization refers to a qualification granted by a regulatory College. As is the case with many other health Colleges, CASLPO does not grant specializations. Members may, however, indicate training in a particular area of practice or state that their practice is restricted to, or focused on an area such as stuttering. The member could also present factual information such as the number of years of experience in stuttering remediation and any additional qualifications or courses taken.

Q: A patient/client has indicated that she can no longer pay the private practice fees. I am willing to provide my services at a reduced rate but wonder, what is the minimum I must charge?

CASLPO, like other health regulatory colleges, does not in the main become involved in issues related to fees charged for member services. Professional associations and individual professionals generally assume the role of advocacy for compensation for member services. However, within its mandate of protection of the public, the College's [Professional Misconduct Regulation](#) prohibits excessive fees and also specifically disallows, without the consent of the patient/client, charging fees in excess of the Ontario Association of Speech-Language Pathologists and Audiologists (OSLA) fee guidelines.

CASLPO members are not required to charge a specified minimum fee for service. Of course, members providing services at a reduced rate or at no charge must still ensure that they practise in accordance with professional standards.

Have you faced a challenging private practice situation you would like to share?