



Virtual Care Standards and Guidelines for Dietitians in Ontario

Table of Contents.....	1
Purpose	2
Definition	2
Standard Statements	3
Standard 1: Dietitians must take reasonable steps to ensure the appropriate use of virtual care and technology for each client.....	3
Standard 2: Dietitians must ensure the confidentiality, privacy and security of clients' Personal Health Information (PHI) when practising virtually.....	3
Standard 3: Dietitians must ensure they meet standards for informed consent and record keeping when providing virtual care.	5
Standard 4: Dietitians must know and comply with all the applicable legislation, Standards, and ethical expectations when providing virtual care, regardless of the dietitian or client's geographic location.	6
Resources.....	7
Other.....	8

Purpose

The *Virtual Care Standard and Guidelines for Dietitians in Ontario* are best used with relevant legislation, the Code of Ethics, other College Standards and Guidelines, and the *Virtual Care Standard and Guidelines for Dietitians in Ontario* serve dietitians, the College and its committees when considering dietitian practice or conduct.

Standard statements articulate the minimum level of performance expectations for the professional conduct of dietitians while using virtual care, followed by a list of how the Standard is demonstrated in practice. The practice guidelines articulate best practice suggestions for safe, competent, and ethical dietetic practice.

Definition

Virtual care¹ is the provision of dietetic services (e.g., counselling, consultation, monitoring, teaching, etc.) between dietitians and their clients, substitute decision-makers (SDM), and/or client's caregivers, and collaboration with health care providers within the [circle of care](#). This is achieved remotely through technology when in-person care is not accessible, possible, or required or accommodates client preference. It may include telephone, videoconferencing, email, apps, wearable technology, and web-based communication. Virtual care uses information technologies to facilitate or maximize the quality and effectiveness of client care across many practice areas (e.g., nutrition care, public health, private practice, etc.).

Virtual care can be synchronous (interacting with the client or substitute decision maker in real-time) or asynchronous (interaction not occurring at the same time) via video, audio, or written formats (e.g., secured emails and text messages). In general, practice obligations do not change, regardless of the modality in which care is provided. The dietitian must practice the same way they would if they were conducting an in-person session, recognizing no change to their professional obligations, including relevant legislation.

The [Personal Health Information Protection Act, 2004 \(PHIPA\)](#), for example, is legislation that applies to virtual dietetic practice as it does to in-person care. Therefore, dietitians must comply with applicable laws, the College's Code of Ethics and other relevant Standards when providing virtual care.

This document provides dietitians with minimum expectations and best practices when engaging in virtual care while meeting legal and professional obligations.

¹ also referred to as telepractice, telehealth, e-health, e-services.

Standard Statements

Standard 1: Dietitians must take reasonable steps to ensure the appropriate use of virtual care and technology for each client.

A registered dietitian demonstrates the standard by:

- I. Assessing the appropriateness of virtual care for each client at all stages of the care process. Virtual care may not be appropriate for some clients and in some situations.
- II. Exercising professional judgement as they would if seeing the client in person, being aware of the limitations of not seeing the client in person and considering specific questions necessary to ask the client because of virtual care limitations.
- III. Showing sensitivity, respect and understanding of client-specific factors for virtual care (e.g., client's preference, comfort, competence, history of use, hearing and visual abilities, access to devices/internet etc.).

Practice Guidelines:

Dietitians are encouraged to:

- I. Be familiar with all aspects of virtual care, including risks and benefits, evidence-informed and best practices around appropriate and secure technologies, privacy, virtual platforms, functions, security measures, employer requirements, and data collection.
- II. Communicate necessary information to deliver safe, competent and ethical virtual care to clients (e.g., including details in your privacy policies/statement of information practices, instructions for virtual care, etc.).
- III. Collaborate with your clients to determine the best option for care (e.g., phone, video, in-person) to consider client preferences and needs.
- IV. Anticipate the need to change virtual care technologies. This may include but is not limited to technological failures and client progress, requirements and preferences, which may consist of a client declining virtual care. Anticipate technical problems and disruptions before using tools and be reactive with a plan for possible disruptions if video/audio quality on a virtual visit is poor because of equipment or internet issues. (e.g., move to a telephone call, rescheduling a visit, etc.).
- V. Adapt to changes in virtual care technologies based on product changes, security features and technological advances.

Standard 2: Dietitians must ensure the confidentiality, privacy and security of clients' Personal Health Information (PHI) when practising virtually.

A registered dietitian demonstrates the standard by:

- I. Taking all reasonable steps to ensure that the personal health information (PHI) in a dietitian's custody or control is protected against theft, loss, unauthorized use, or

disclosure, including the transmission, management, and storage of PHI securely and confidentially.

Practice Guidelines:

Dietitians are encouraged to:

- I. Complete a Privacy Impact Assessment (PIA) regarding collecting, using, and disclosing personal health information when deciding to use an app/platform. A PIA is a risk management tool and a process "to identify and manage privacy and information security risks associated with virtual health care"². See the Information and Privacy Commissioner of Ontario's (IPC) [Privacy Impact Assessment Guidelines for the Ontario Personal Health Information Protection Act](#) and [Planning for Success: Privacy Impact Assessment Guide](#).
- II. Identify administrative, technical, and physical safeguards to protect the security of PHI, such as ensuring private space for the delivery of virtual sessions, sending client emails, and securing mobile devices when unattended. Refer to the [Privacy of Personal Information Dietetic Practice Toolkit](#) or organizational policies.
- III. Ensure risks of email correspondence that includes personal health information (PHI) are understood, addressed and have safeguards in place to allow for secure transmission of information. The Information and Privacy Commissioner of Ontario (IPC) expects emails containing PHI from one health information custodian (HIC) to another will be encrypted, barring exceptional circumstances. Dietitians, who are HICs or agents, should use encrypted email with clients. If encryption is not feasible, dietitians should determine whether it is reasonable to communicate with clients through unencrypted email. Refer to the IPC [fact sheet](#) for details, and/or organizational policies.
- IV. Use measures to ensure confidentiality, such as password protection, data encryption, two-factor authentication, and secure networks (e.g., encrypting a mobile device). Dietitians may wish to consult with the Information and Privacy Commissioner of Ontario (IPC) or an information technology and/or privacy expert for up-to-date guidance and questions about technical support services, if warranted.
- V. Keep up-to-date with the requirements of the Information and Privacy Commissioner of Ontario (IPC) and the Office of the Privacy Commissioner of Canada, including safeguards outlined in the [Information and Privacy Commissioner's Privacy and Security Considerations for Virtual Health Care Visits](#).
- VI. Implement a cyber security plan (e.g., security software, updates, security scans to identify and eliminate viruses, malware, spyware, etc.) and maintain good information technology practices.
- VII. Work with their Health Information Custodian or Privacy Officer (as applicable) to ensure understanding and compliance with the requirements of the Information and Privacy Commissioner of Ontario (IPC). In private practice, dietitians can refer to the [Privacy of Personal Information Dietetic Practice Toolkit](#).
- VIII. Ensure virtual practice policies are updated and current and consider the risks, benefits, and limitations of virtual care and the virtual care technology (e.g., when dietitians will

² Information and Privacy Commissioner of Ontario (2021). Privacy and Security Considerations for Virtual Health Care Visits. Retrieved from <https://www.ipc.on.ca/wp-content/uploads/2021/02/virtual-health-care-visits.pdf>

use technology, the technical requirements, how dietitians will keep information secure, etc.). Dietitians should communicate policies with clients, as required (e.g., email communication parameters, etc.).

- IX. Encourage their clients to find a private location for virtual care and verify the client's identity and location and whether others are present.
- X. Explain the functionality of the virtual platform before and at the start of any virtual session. In individual and group settings, clarify with clients what PHI will be collected, used and/or disclosed. Dietitians should identify limitations (i.e. security risks) if clients disclose PHI in group settings and consider strategies for maintaining privacy and security as required. Know the privacy breach management protocols in your organization, or develop a privacy breach protocol if you are a health information custodian (HIC).
- XI. Be aware of the security features to protect the client's identifying information, if storing recordings.

Standard 3: Dietitians must ensure they meet standards for informed consent and record keeping when providing virtual care.

A registered dietitian demonstrates the standard by:

- I. Complying with the [Professional Practice Standard for Consent to Treatment and the Collection, Use and Disclosure of Personal Health Information](#) when practising dietetics virtually.
- II. Respecting client decisions. If a client refuses to consent to virtual care services and the dietitian cannot provide in-person services, reasonable attempts must be made to arrange alternative services for the client as required by the [Professional Misconduct Regulation](#).
- III. Complying with the [Record Keeping Standard](#) by keeping records in the same manner as in-person practice.

Practice Guidelines:

Dietitians are encouraged to:

- I. Discuss the use of technology in providing virtual care, such as nature and duration of care, any benefits, risks, limitations, outcomes, and alternatives to virtual care (e.g., the client should understand the technology related to the transmission and collection, use, storage, disclosure of personal health information, and limits to data security).
- II. Adapt assessment tools, approaches to care, resources, and communication to meet clients' needs, be appropriate for the virtual platform, and consider clients' progress and care plan.
- III. Plan for client emergencies. Be familiar with emergency and crisis resources and know how to access them.
- IV. Document how the dietetic service was provided (e.g., via telephone or video conferencing), including billing records and invoices provided to clients.

- V. Develop processes and/or policies for a system of retention to secure client health records (e.g., clarify health record custody and retention requirements, particularly when working in multiple sites, with numerous dietitians and interprofessional colleagues working together).
- VI. When using electronic records, plan a reliable backup system. Refer to the Record Keeping Standards, and the [Privacy of Personal Information Dietetic Practice Toolkit for Registered Dietitians in Ontario](#).

Standard 4: Dietitians must know and comply with all the applicable legislation, Standards, and ethical expectations when providing virtual care, regardless of the dietitian or client's geographic location.

A registered dietitian demonstrates the standard by:

- I. Applying the [Code of Ethics](#) principles to guide evidence-informed dietetic practice: beneficence (to do good), non-maleficence (not harm), respect for persons/justice, and autonomy.
- II. Ensuring that virtual care is in the client's best interest, where the quality of care will be comparable to in-person care and potential benefits to the client outweigh any potential risks.
- III. If registered in another province or country, reporting concurrent registration in another jurisdiction within 30 days of any [changes](#) to the College of Dietitians of Ontario.
- IV. Ensuring and confirming that their liability insurance provides coverage for virtual care visits, particularly for dietitians who have insurance coverage through their employer and/or practise across borders.
- V. Complying with all applicable laws and College guidance regarding interjurisdictional practice when providing virtual care.

Practice Guidelines:

Dietitians are encouraged to:

- I. Contact the regulatory body in the jurisdiction where the client is located prior to providing virtual care across borders. This ensures you know any applicable licensing or practice requirements before care.
- II. Be clear and transparent with non-Ontario clients that they are registered to practise dietetics in Ontario.

For externally registered dietitians:

Externally licensed dietitians who use the title dietitian and/or provide dietetic services to clients in Ontario must be aware of the College's [Position Statement: Registration Requirement for Inter-Jurisdictional Practice](#).

Resources

College of Dietitians of Ontario – Jurisprudence and Professional Practice Resources:

- [Confidentiality and Privacy](#) resources
 - [Privacy of Personal Information Dietetic Practice Tool Kit for Registered Dietitians in Ontario](#)
 - [Privacy Legislation and What it Means](#)
 - [Are You a Health Information Custodian?](#)
 - [PHIPA A Guide for Regulated Health Professionals](#) eHealth Ontario
 - [eHealth Ontario guides to information security for small offices](#)
 - [eHealth Ontario guides information security for large organizations](#)
- Virtual Care, Social Media and Technology Page (includes webinars, FAQs, and resources). (2021) <https://www.collegeofdietitians.org/practice-advisory/jurisprudence-professional-practice-resources/virtual-care-social-media-technology.aspx>
 - Virtual Care FAQs (2020): <https://www.collegeofdietitians.org/practice-advisory/jurisprudence-professional-practice-resources/virtual-care-social-media-technology/virtual-care-faqs.aspx>
 - Telephone and Web-Based Counseling (2017) [https://www.collegeofdietitians.org/resources/professional-practice/telepractice/telephone-web-based-counselling-\(2017\).aspx](https://www.collegeofdietitians.org/resources/professional-practice/telepractice/telephone-web-based-counselling-(2017).aspx)
 - Reg Talks Virtual Care Webinar (2020) <https://www.collegeofdietitians.org/cdo-masterpage/news/news-items/2020/virtual-care-webinar-recording-available.aspx>
 - Pandemic FAQs (2021): <https://www.collegeofdietitians.org/practice-advisory/jurisprudence-professional-practice-resources/workplace-issues/pandemic-faqs.aspx>
 - All Things Privacy with Kate Dewhirst, LLB [Webinar](#) (June 2021)
 - All Things Privacy with Kate Dewhirst, LLB [Slides](#) (June 2021)
 - Virtual Care Quiz (2020): <https://www.collegeofdietitians.org/news/2020/quiz-virtual-care.aspx>
 - [Dietetic Practice and Online Communications](#) (2021)
 - Position Statement for Interjurisdictional Practice (2019): <https://www.collegeofdietitians.org/registration-policies/inter-jurisdictional-registration-requirement.aspx>

Legislation

- *Health Care Consent Act, 1996*. Available from: <http://www.ontario.ca/laws/statute/96h02>
- *Personal Health Information Protection Act, 2004*. Available from: <https://www.ontario.ca/laws/statute/04p03>

Information and Privacy Commissioner of Ontario:

- [Privacy and Security Considerations for Virtual Health Care Visits](#) (2021)
- [Working from Home During the COVID-19 Pandemic](#) (2020)
- Planning for Success: [Privacy Impact Assessment Guide](#) (2015)
- [Communicating Personal Health Information by Email](#) (2016)

Other

- Alliance of Canadian Dietetic Regulatory Bodies (2022). Cross Border Dietetic Practice in Canada. <https://collegeofdietitians.ab.ca/wp-content/uploads/2022/03/Cross-Border-Practice-Position-Alliance-April-2022.pdf>
- Citizen Advisory Group. (May 2020). Resuming Non-essential Care During the COVID-19 Pandemic. <https://citizenadvisorygroup.files.wordpress.com/2020/05/citizen-advisory-group-13-may-2020-final-report.pdf>
- College of Physicians and Surgeons of Ontario. (June 2022). Virtual Care. <https://www.cpso.on.ca/Physicians/Policies-Guidance/Policies/Virtual-Care>
- Health Standards Organization (HSO). 2018. Standards Council of Canada and International Society for Quality in Health Care. Virtual Health. <https://healthstandards.org/standard/virtual-health-global/>