

Ontario Disabilities Support Program

Policy for Special Diet Allowance

Many Registered Dietitians have contacted the College of Dietitians of Ontario with questions about the Ontario Disabilities Income Support for Special Diet Allowance and the the Special Diets Application Form. Some questions relate to professional judgment and ethics.

Special Diets Application Form 2919

RDs are members of four health professions permitted to complete the *Special Diets Application Form (Form 2919)*. The form is part of an application for funds to supplement social assistance to cover the cost of special dietary needs.

It is important that RDs familiarize themselves with Form 2919 and the directives provided by the Ontario Government before recommending a special diet allowance.

Can I sign Form 2919 if I did not gather the assessment information myself?

Inherent in the intent and application of the directives is the expectation that the health professional completing the form has assessed the need for a special diet. RDs may gather assessment information themselves or they may rely on information collected by others. However, the RD is still responsible for determining the reliability of the information, collecting additional assessment information as required, and making clinical judgments about the nature of the nutrition disorder and nutrition care plan. For instance, an RD may feel quite comfortable relying on assessment information collected by a Registered Nurse who is part of their

care team, but may wish to supplement assessment information provided by a social services advocate.

Can I sign the Form 2919 if I cannot confirm the need for a special diet by a physician?

In keeping with the directives issued by the provincial government, RDs have the authority to determine a need for a special diet allowance and do not have to consult a physician. An RD must conduct an appropriate assessment, but may rely on assessment information from a physician if, in the professional judgment of the RD, this information is sufficient to make the determination of a nutrition disorder and need for a special diet as listed in the *Special Diet Schedule*.

Nutrition disorders are at times verified through lab tests ordered and interpreted by a physician. If clinical information from a physician is inadequate, RDs may use their own professional judgment in deciding on a special diet and on whether or not they should complete *Form 2919*. Normally, when physicians have assessed the need for a special diet, they would complete *Form 2919* on their own authority.

What do I Record in The Client Health Record?

When assessment and treatment planning are involved, RDs are accountable for their clinical decisions and for creating an appropriate client health record. The record should include:

- a notation that *Form 2919* was

completed; and

- all clinical evidence supporting the recommendation or non-recommendation of the *Special Diet Allowance* in keeping with allowance policies.

How should I handle the situation if I am asked to attend a clinic in order to complete Form 2919 for a group of clients?

This may present an ethical dilemma for RDs. The *Special Diet Allowance directives* and *Form 2919* are clear in intent – the allowance is for special diets as listed in the *Special Diet Schedule*. The Allowance is not intended to supplement social assistance to help people in general to eat a balanced diet, however desirable that may be. Dietitians who work at such clinics need to understand all their contractual obligations, for instance:

- **Do you need your primary employer's permission to do part-time work?**

Some employment contracts limit or prohibit additional part-time employment and some part-time employment may be seen as a conflict of interest. You are advised to refer to your employment contract before attending a clinic to fill *Form 2919*.

- **Does the clinic expect you to recommend a special diet allowance without allowing you to exercise your professional judgment?**

It would be unethical for you to

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accept the assignment if this was the case. The College would advise you to have an agreement that fully recognizes your professional obligation and autonomy.

- **What are the arrangements for the custody of the clients' personal health information?**

If the agency that operates the clinic is not a health information custodian in keeping with the provisions of the *Personal Health Information Protection Act*, then you become the health information custodian and must comply with the provisions of the *Act*. This includes retaining the health record in a secure and confidential manner, ensuring appropriate access and consents in keeping with the *Act*. It is recommended that your agreement stipulate the employing agency's undertaking of its responsibility or the RD's responsibility to comply with the provisions of the *Act*.

- **How will you be paid?**

If the understanding was that you would not work at the clinic but simply complete and sign *Form 2919*, the \$20 reimbursement from the OSDP might not be enough to compensate you for completing an assessment, formulating a treatment plan and providing documentation.

What provisions exist for follow-up of clients who need ongoing assistance to meet the therapeutic value of special diets?

You may need to identify and/or develop supportive and referral services for people in need.

If I assess that vitamins, minerals and herbal supplements are needed, does this mean that I am prescribing?

No. You are simply conducting a nutrition assessment and recommending the use of vitamins, minerals and supplements. Both are clearly within your dietetic scope of practice. Based on your nutrition assessment, you have concluded that a vitamin and mineral supplement would benefit this client. The client may receive a monetary supplement from the *Ontario Disabilities Program* which they can then use to purchase the recommended vitamin and mineral and/or other supplement. Prescribing means that you have written a script for a controlled drug which must be dispensed by a pharmacist.

How am I reimbursed for completing Form 2919?

Reimbursement is entirely up to the *Ontario Disabilities Support Program* and RDs. The purpose of the fee is to reimburse an RD for the time needed

to complete the form. Salaried RDs are already paid for their time which includes completing forms for their clients. It would not be appropriate for RDs to receive payment in addition to their salary which is intended to cover their professional services. Dietitians who are working outside of an employment situation may apply to the *Ontario Disability Support Program* for the fee of \$20 to complete the form rather than charge their client.

Where do I find more information?

Copies of the directives, policies and *Form 2919* are available from the *Ontario Disability Support Program* website at:

<http://www.cfcs.gov.on.ca/CFCS/en/p/rograms/IES/OntarioDisabilitySupportProgram/Publications/odspisdir.htm>

Scroll down to *Directive 6.4 : Special Diet Allowance* which includes the *Special Diet Schedule*. Many of the questions directed at the College are answered on this website.

The College of Dietitians of Ontario would like to thank the Ontario Disability Support Program Branch of the Ministry of Community and Social Services for their help in preparing this article by supplying information about the special diet policy.



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New Investigations
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Dean Benard joined the team at the *College of Dietitians of Ontario* in May 2005 on a part-time contract basis. As the Investigations Case Manager, he brings his significant experience in health care, investigation, and mediation to his role of managing the investigation and resolution processes at the College. Dean is the principle of Benard + Associates, an investigation and mediation firm that provides services to clients across Canada including health regulators, private

and public organizations and individuals. He specializes in the area of health care disputes including malpractice allegations and the resolution of professional regulatory complaints.

As a Registered Nurse, former police officer, regulatory investigator and mediator, Dean has blended his 16 years of experience to apply a balanced and thoughtful approach to the investigation and resolution of complaints and reports about healthcare professionals.

Dean received his Diploma in Nursing from Sir *Sandford Fleming College* in Peterborough, a Bachelor of Arts in *Health Administration and Ethics* from *York University* and a Master of Laws in *Alternative Dispute Resolution* from *Osgoode Hall Law School*.