



Standard of Practice: Privacy and Confidentiality

Date: January 1, 2024

Amended:

Client outcome

The client's personal health information, privacy, and confidentiality are securely protected.

Registered Massage Therapist outcome

The Registered Massage Therapist (RMT) always maintains the privacy and confidentiality of clients and the client's personal health information.

Requirements

The RMT must:

1. Comply with Nova Scotia's *Personal Health Information Act (PHIA)* that governs the manner in which personal health information may be collected, used, disclosed, and retained within the health care system in Nova Scotia;
2. Comply with Canada's *Personal Information Protection and Electronic Documents Act (PIPEDA)*, the federal private sector privacy law which covers the collection, use, and disclosure of personal information in the course of commercial activities;

3. Understand that under PHIA in order for consent to be valid to collect, access, use, or disclose personal information, RMTs must ensure that:
 - It is reasonable to believe that the client knows the purpose of the collection, use, or disclosure, and that they may give or withhold consent;
 - The consent relates to the personal health information; and
 - Consent is not obtained through deception or coercion.
1. Understand that under PHIA, the RMT must obtain written consent to collect, access, use, or disclose personal health information.
2. Obtain written consent from the client's substitute decision-maker for the collection, use, or disclosure of personal health information if the client is incapable.
3. Only collect, use, or disclose personal health information that is necessary to meet the client's health needs or to eliminate or reduce a significant risk of bodily harm.
4. Only provide access to personal health information to authorized persons, except as required or allowed by law.
5. Allow clients access to their own personal health information.
6. Only discuss the client's personal health information in a way that ensures the client's privacy (for example, avoid treatment-related conversations in non-private places).
7. Use any electronic communication, social media, client booking and management software, and other forms of digital technology ethically and professionally, in a way that protects client privacy and confidentiality.
8. Store, share, transfer, and dispose of client data on personal devices in a way that maintains the privacy and confidentiality of clients.
9. Comply with requirements for mandatory reporting of privacy breaches.
10. Disable all audio, video, or photographic transmitting and recording functions of all devices in the room, unless:
 - The RMT obtains written informed consent for the use of audio, video, or photographic recording equipment; and
 - The recording functions are for assessment, treatment, and/or educational purposes.

Relevant documents

- *Personal Health Information Act (PHIA)*
- *Personal Information Protection and Electronic Documents Act (Canada)*
- Personal Information Protection Policy
- Standard of Practice: Consent