

NOVA SCOTIA BOARD OF EXAMINERS IN PSYCHOLOGY

GUIDELINES: ARRANGEMENTS FOR RETIREMENT; DEATH OR; INCAPACITY

INTRODUCTION:

The responsible psychologist is concerned with continuity of care and with the protection of clinical records.

Principle 2 the Standards of Professional Conduct states:

“A psychologist shall organize his/her activities so that users shall receive appropriate and adequate psychological services.”

Principle 7 of the Standards of Professional Conduct states:

“Psychologists shall ensure that their records and the records of those they supervise are protected and the privacy of the user safeguarded.”

7.7 states:

“In a private practice setting a member who plans to or ceases to provide psychological services shall take responsibility for the maintenance and security of client records or make arrangements for another registrant to secure and maintain the client record so that clients have access to their records for the prescribed retention period. The registrant shall inform NSBEP of arrangements made at the earliest reasonable opportunity. A registrant in private practice should make advance arrangements for the security and maintenance of client records in the event of his/her incapacity or death”.

As such the responsible psychologist ensures he/she has made adequate provision to facilitate ongoing care and to protect clinical records following retirement or in the case of death or incapacity.

A. EMPLOYMENT SETTING:

The psychologist who is working exclusively within an employment setting, for example, a school, a hospital, a mental health clinic establishes if policies are in place that allow for continuity of care and for the protection of psychological records. If not, the psychologist attempts to educate the administration with respect to the need for such policies. NSBEP recognizes that the final decision may not be within the psychologist's control.

B. PRIVATE PRACTICE:

A psychologist working, to any degree, in private practice has the primary responsibility to ensure safeguards are in place with respect to continuity of care and protection of records.

BASIC REQUIREMENTS:

There are a number of different approaches that may be taken with respect to planning for retirement, death or incapacity. The psychologist engaged in any private practice is free to choose his/her own approach as long as it meets basic requirements. The psychologist working in an employment setting will want to assess if the employer has policy in place that meets or is equivalent to the following basic requirements.

PRIVATE PRACTICE ARRANGEMENTS RETIREMENT

- The psychologist gives sufficient notice to clients to allow them to work through issues related to the termination of the clinical relationship and to make alternate care arrangements
- The psychologist makes referrals as appropriate and advises clients with respect to the transfer of the clinical records
- The psychologist advises clients how clinical records will be stored and how they may be accessed in the future
- The psychologist identifies a colleague who is willing to assume responsibility for the clinical records should the retired psychologist become incapacitated or die before the prescribed retention period for maintaining the clinical records has expired
- The psychologist advises NSBEP of the name and contact information of the colleague assuming responsibility for the clinical records

PRIVATE PRACTICE ARRANGEMENTS FOR DEATH OR INCAPACITY

- The psychologist develops a plan of action for facilitating continuity of care and for the protection of records to be activated in the event of his/her sudden death or incapacitation.
- The psychologist identifies a colleague who is willing to assume the immediate responsibility for the notification of clients and for the clinical records. The psychologist provides NSBEP with the name of the identified colleague. This colleague is given the plan of action and provided with documentation indicating they have been given the right to access all of the information necessary for facilitating continuity of care and for taking

clinical records into his/her possession. The psychologist, in developing his/her plan, should ensure family members are aware of the name of and responsibilities to be assumed by this colleague.

- The psychologist must ensure the designated colleague knows the location of all clinical records past and current, has the keys and passwords that will allow access to clinical information, knows the location of the appointment book and phone numbers for all active clients
- In agreeing to assume responsibility in the event of sudden death or incapacity the colleague is advised in advance that this role includes canceling upcoming appointments, alerting all active clients of the death/incapacity, making immediate referrals or otherwise taking action should a client be in crisis, making arrangements for the transfer of clinical records where appropriate and other related transitional duties.

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