

Dietetic Private Practice Q&A

Updated April 23, 2024

Q1: What are the considerations when starting a private practice in dietetics?

There are some key aspects of starting a private practice to consider. They are listed below, and you are encouraged to review the [Dietetic Private Practice Resource](#) for details for each aspect, so you can ensure that you have covered all important areas needed to successfully and safely start a private practice.

- Scope of Practice
- Conflict of Interest
- Professional Boundaries
- Marketing, Testimonials, and Social Media
- Consent
- Record Keeping, Confidentiality and Privacy
- Fees and Taxes
- Liability Insurance/Personal Injury and Disability Insurance
- Professional Services
- Virtual Services
- Contingency Planning
- Connecting with the College

Q2: I'd like to create an online presence for my private practice. What is a good reference to help me draft a "Privacy and Confidentiality" disclaimer?

Please refer to Standard 1g of the [Dietetic Code of Ethics](#). More information may be obtained from [PIPA](#) (Personal Information Protection Act) and the [Dietetic Privacy Guide](#). To ensure legal compliance, you could also contact your Liability Insurance provider, who may be able to provide you with referrals to a private practice specific lawyer.

Q3: I just graduated and am an RD(T) and have not yet written the CDRE. Can I go into Private Practice?

As a temporary registrant, you may not practice as a sole and private practitioner. If you wish to start your private practice as a Temporary registrant, you will need to establish a mentorship agreement until you are granted Full registration. Refer to the [Sole and Private Practitioner](#) policy for details.

Q4: Do I need liability insurance for my private practice?

Yes, all full and temporary registrants need liability insurance. Refer to [Dietetic's Liability Insurance page](#), for information, in case you haven't looked into this aspect of practice. Please be sure that your Liability Insurance covers **all** aspects of your dietetic practice.

As per the [Dietetic bylaws](#), “All full, temporary and emergency registrants must obtain and at all times maintain professional liability insurance coverage in an amount of at least two million dollars (\$2,000,000) per occurrence in a form that is satisfactory to the college.” Dietetic students are not registrants of the College and may not practice dietetics until registered with the College.

Q5: Do I need a business license to set up my own private practice?

Your requirement to register as a small business is an aspect of practice that you will need to follow up with. The College has no jurisdiction on how you set up your private practice. You may choose to start at this [BC government website](#). However, it is important to note that if you choose to register a small business, your business name should not include the term “dietitian”, since a business name can be registered for years, while College registration renewal is annual. The College cannot monitor which of its registrants in good standing has a small business or the specific details of the business name. In addition, there is a risk of illegal use of a reserved title under the *Health Professions Act* if a business name continues to exist with the title “dietitian” if a registrant does not renew their registration with College and/or sells their business to someone who is not authorized to use the title “dietitian”.

Q6: I work in a multi-disciplinary office and want to branch out into a private practice and take my clients with me. Can I do this?

You should consult your employment contract to be sure you are entitled to take your clients from the clinic. Your clients may decide to consult with you at your private clinic. They may request the current clinic owner for a copy of their health record and share this with you at your new clinic, or they may request that a copy be shared directly with you at your new clinic. If the record is electronic, there is potential difficulty in separating RD information and charting from a multidisciplinary health record.

Please consult the [Dietetic Privacy Guide](#) for considerations.

If your current office is private, your current clinic owner has an obligation, as you do, to follow the [Personal Information Protection Act](#) (PIPA), which the Government of BC has made more accessible [here](#), by applying it in simpler language to private business owners.

If your clinic is public, or within a hospital, it will be governed by the [Freedom of Information and Privacy Protection Act](#) (FIPPA), which the Government of BC has made more accessible [here](#), indicating that its rules apply to all public sector employees, contractors and service providers.

Both PIPA and FIPPA is the responsibility of the [Office of the Information and Privacy Commissioner](#) (OIPC), who is an independent officer of the BC Legislature. In keeping with these Acts, the College

has outlined in the [Dietetic Standards for Record Keeping](#), your obligation for the secure storage (for 16 years if your clinic is associated with a hospital, or for 1 year if your clinic is a private practice) and destruction of your client files after this time. It is recommended that you review Standard 5 of the Standards for Record Keeping, specifically that “*systems are in place to ensure that content is not lost/deleted.*” And “*collection, use, storage, disclosure, transmission and disposal of personal health information maintains the client’s privacy and confidentiality (e.g. through the use of physical controls, passwords, and/or encryption, as applicable)*”. It is important to note that any electronic storage (cloud system or otherwise) -should be maintained within Canada (if in public healthcare) unless the client has consented to allowing his/her personal information to be stored outside of Canada. See Q8 of the [Privacy Q&A](#) for more detail.

The College does not otherwise have jurisdiction over privacy obligations or transfer of medical information from one clinic to another. Therefore, if you have more specific questions regarding privacy concerns related to transferring client files, you are encouraged to connect with the OIPC via their website or by email at info@oipc.bc.ca to help you determine your legal rights and obligations.

Q7: Is there a lawyer you can connect me with that can help ensure I am setting myself up properly?

You are encouraged to reach out to your Liability Insurance Provider to help determine your requirement for a lawyer. The College cannot recommend legal counsel.

Q8: Where can I get more resources and meet other people who work in private practice?

If you are a member of Dietitians of Canada, you may consider joining the Consulting Dietitians Network for members in private practice. There are many members and resources available, some of which may guide your consulting business set up. You can also use the [DC Dietitian look-up](#) function if you are not a DC member, to reach out to Private Practice dietitians in your area. Unofficially, you may also find private practice dietitian groups on social media, however, it is important to be aware of the differing legislation governing dietitians across provinces and internationally.

Q9: Am I allowed to volunteer dietetic services to a camp for participants with specific health conditions outside of the province? (For example, the camp may be in the US and I am also registered with the Commission on Dietetic Registration in the US). What are the potential legal implications?

Registration with the College allows you to practice dietetics in BC. The US RD credentials will apply to your activities while in the US. However, the College recommends that you explore the need for liability insurance during the time spent practicing in the US. Your current liability insurance policy may not cover activities being practiced outside of BC. The organization operating the camp where you are volunteering may already have some form of liability insurance coverage

for "volunteers". It is prudent for you to ensure that you have appropriate liability insurance in place prior to volunteering services outside of BC. **Please refer to [Virtual Practice Q&A](#) for more details, since in-person dietetics in a jurisdiction where you are not registered, will be seen by the College as similar to practicing virtually in that jurisdiction.**

Q10: I am working as a private practice dietitian, who (1) owns my clinic, OR (2) contracts myself out to a clinic. How much should I charge? Do I have to charge GST?

The College doesn't have any jurisdiction over the fee structure in your private practice. You may want to consider the following:

- a. The private fees that will be charged for dietetic services can be suggested through Dietitians of Canada (phone number: 416-596-0857). The College does not set fee schedules.
- b. Alternatively, other private practice RDs can be contacted in your area to find more information about an appropriate rate.
- c. To find out about the need to charge Federal and Provincial Tax, please consult the Government of Canada's [Business and Industry website](#), the [BC PST requirements](#) and consult with a Chartered Professional Accountant.

When creating any new business, it is recommended to consult with an accountant and/or a lawyer. Some Registered Dietitians may register their business for tax purposes, while others file their taxes as being self-employed. Dietitians in private practice will need to discuss their options with their accountant and/or lawyer. Refer to the [BC Registries and Online Services](#) as well as, [Canada Revenue Agency](#) website for more information about registering businesses.

You are encouraged to review the Dietetic Private Practice Resource, specifically section 7, although you may find the entire document useful.

Q11: I am setting up my practice and would like to offer a pre-pay package for counselling/meal planning etc. Is this allowed? If I can do this, are there any considerations for clients who have extended health coverage in terms of billing in one year and redeeming the counselling in the next year?

You are encouraged to reflect on your practice by considering the [Dietetic Code of Ethics](#) as well as [Dietetic Bylaw](#) section 74, and [Standard of Practice](#) 12.

It is important to ensure you are customizing your nutrition care plan and offering individualized services to your clients and that they are fully aware of the commitment they are making. You must practice in the client's best interest and ensure that your billing accurately reflects the services you are planning to provide.

There is risk involved with charging for services ahead of time; however, this is inevitable if business is conducted online, which suggests the importance of having a clear policy and process in place with your clients.

In terms of providing a pre-pay option for counseling for clients looking to claim benefits by the end of one fiscal year for services you may provide in them in the next fiscal year, the College encourages you to reflect on the following considerations.

Please have a look at the college [Bylaws](#), specifically section 70(1)g and h, regarding the distinction between charges, payments and services rendered. This represents the limit to which the college has jurisdiction in the matter. When you issue an invoice or receipt, it must be distinguishable whether the receipt is for *payment in advance of services* versus a receipt issued for a *service provided on that specific date*.

You are encouraged to reach out to the Insurance companies to determine how they process claims. You should inform your client to verify with their insurance broker that cross fiscal year charges are allowed since the responsibility also lies with your clients to determine whether they are able to claim benefits in one fiscal year when services aren't rendered until the following year.