

## **Virtual Practice Q&A**

### **Updated April 29, 2024**

These Q&As are meant to be used in conjunction with the Virtual Dietetic Practice Policy and Guideline.

Dietitians can find the Provincial Registration Requirements for the provision of virtual dietetic care in Canada in the Virtual Dietetic Practice Policy.

#### **Q1: Why do certain jurisdictions require registration and others don't? Who makes these decisions?**

Outside of BC, the CHCPBC does not have the authority to make decisions as to where registration is or is not required. Healthcare is a provincial jurisdiction, and each province has a Ministry of Health that oversees legislation regulating health professionals. In the case of BC, it is the *Health Professions Act* (HPA), which sets out requirements for regulatory colleges, while also defining the profession and its scope. While each province has a similar structure, each province has laws that are slightly different. Although not an exhaustive list, here are some examples:

- Restricted Activities can be defined differently in each province
- Privacy laws may be similar, but differ in small ways
- Differences in the definition of dietetics/scope

Each regulatory college in Canada is required to work under the umbrella of its respective provincial legislation, set out by the provincial Ministry of Health (HPA in BC). This legislation is written with a focus on the people living and working in that province. One of the limitations of having different provincial laws governing dietetics is the lack of clarity on the responsibility of colleges to investigate a complaint about a dietitian registered in two or more provinces. All health professionals are accountable to the province where they are registered and this regulatory relationship is legislated by the Ministries of Health in each province, meaning that a change across Canada would have to be approved by all provincial governments.

#### **Q2: How is “province of residence” defined? What is a “deemed resident”?**

The College does not define “province of residence” or “deemed resident” for BC residents. Residency may be defined and interpreted differently within BC laws. Where does your client identify as their primary province of residence?

For example, for eligibility to the Medical Services Plan, BC residency may be interpreted differently, depending on the person’s individual circumstances. For more information, please consult: [Eligibility for MSP - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov2/health/insurance/medserv/eligibility).

## **Virtual dietetic practice platform use in healthcare, non-healthcare, and for consults.**

### **Q3: Does the College have a list of applications or software options that I can use or not use?**

The College cannot make recommendations about virtual practice platforms to use and defers to the Privacy office/committee at your workplace to recommend/mandate appropriate platforms. You might find what you are looking for in the [PHSA Virtual Practice Toolkit](#). Various platforms are compared and recommended for use in public healthcare settings and for different functionalities.

### **Q4: Are there circumstances when I can use a non-healthcare specific virtual platform?**

An example could be for a 'lunch and learn' style session, whereby you are providing a general nutrition topic, without developing a therapeutic relationship with any of the audience and where no confidential information sharing is involved. It would be reasonable to use a free form of a virtual platform that is not healthcare specific. In this instance, as with other healthcare-specific virtual platforms, it is important to understand the privacy and security limitations of the virtual platform you choose and balance the risks of using it with liability to you as regulated health professional.

### **Q5: Am I able to provide an initial consult over the phone without visualizing a client that I have never met?**

You must use your clinical judgement to determine if a phone call is sufficient for an initial consult. If there is significant risk to your client in doing so, then establishing a manner with which to visualize the client (a virtual video connection or series of photographs at a minimum) is pertinent. Do you have access to a mutual person, perhaps a caregiver, nurse or family member who can corroborate and help to provide you with a clear understanding of your client's nutrition-related issues? This could include elements of a Subjective Global Assessment such as waist circumference or monitoring for pitting edema and can include important third-party anecdotal weight/appearance/intake history.

If the client is a high nutrition risk, you may not be able to proceed with your initial consult and nutrition care plan by the phone. You may assess the situation as requiring an in-person intervention. These could include advocating for added home supports or even a hospital admission. The bottom line is that virtual care should be equivalent in quality and scope as in-person care and that your client's safety comes first.

## **I am registered with CHCPBC and want to practice within BC.**

### **Q6: What are some considerations for virtual practice?**

You can practice virtually if you are registered with the CHCPBC and are seeing clients who reside in BC. Please refer to [Virtual Dietetic Practice Policy and Guidelines](#) for further details on registration requirements and guidelines for dietitians providing virtual care.

### **Q7: I want to offer group virtual sessions as a new format to my practice. What are some considerations?**

As with in-person group sessions, it is important to remember that individual participants within a group may have differing comfort levels with sharing personal health information among each other. While consent must be obtained to collect personal health information and provide dietetic care, it is important to remember that consent must also be obtained in a virtual setting, such that participants understand and provide consent for the use of a virtual platform and all the risks associated with its use. For more information on virtual dietetic care, you are encouraged to consult the [PHSA Virtual Care Toolkit](#).

The following points are not meant to be an exhaustive list of considerations. If you have more specific questions, please [contact](#) the College for help.

In planning virtual care with residents of BC, here are some considerations:

- Verify that your clients are residents of BC. Identify yourself as a CHCPBC registrant. If you have participants in your group session that are residents from outside of BC, you must not develop a therapeutic relationship with them (no nutrition assessment, nutrition care plan). If you find that these out of province participants require tailored nutrition care, you must refer them to a dietitian in their jurisdiction.
- Confirm that you have access to a high quality and secure virtual connection.
- Evaluate if you are accessible. Is it easy and convenient for clients to make appointments with you?
- Check if your client records keeping are confidential and secure. Per [Dietetic Standards for Record Keeping](#) section 5: *“Dietitians ensure reasonable measures are in place to maintain the security of client health records.”* In the case of a group session where nutrition information communicated is generic and not individualized to a client, documentation can include an attendance list and an outline of the session, but may not require individual documentation in each client’s chart.
- Consult with your Liability Insurance Provider to prepare a plan in the instance that:
  - client records are stolen, or
  - you are unable to respond to an emergency, such as calling 911
- Plan for contingency. Is there an option for alternative RD care if you are unavailable for a virtual appointment? Refer to the [Contingency in Private Practice Q&A](#) for more information.

**Q8: In addition to my CHCPBC registration, I am also registered in another province. Does my online content have to comply with both sets of regulations simultaneously? Or just the province where I am physically located at the time of publication?**

If you are registered in more than one province (or state in the US for example), you are accountable to all legislation applicable. You must be compliant with the most “demanding” requirement/standard. For example, if a province requires that you always use your title in online publications, but the other doesn’t, you must make sure that you always use your credentials.

If you intend to use your title on social media (Registered Dietitian, RD, or in some provinces Nutritionist), you must be registered in the province where you are using your title. For example, if you reside in BC and plan on offering dietetic services in BC and have a social media practice available throughout Canada, you need to be a CHCPBC registrant. Your online content must abide by the regulations governing you in BC. If you are registered in another province as well, you must also abide by regulations in that province.

To better understand the CHCPBC’s expectations on this topic, you may find it helpful to access the Dietetic [Marketing Standards](#). It is a good overview of the considerations any dietitians must undertake in order to practice ethically.

The next consideration to determine where you need to be registered is whether you are providing dietetic care to a client (virtually or not), or simply posting general online content. If you are providing virtual dietetic care, you need to be registered in BC and all requirements and standards will apply.

If you have developed a therapeutic client relationship, and the client is across provincial jurisdictions, it is important for you to understand the requirements for registration in the province where your client resides. If you are simply posting general content (i.e. developing and sharing a healthy recipe, reviewing, or writing a post about a literature review or research you conducted etc.), you are not providing specific client-based dietetic care. If your dietetic practice is not establishing client care or follow-up on an established therapeutic relationship with a client, you are not required to register in any province other than where you reside.

Lastly, it is important to consider that the regulatory College in any province where you practice dietetics, is not the only body governing dietitians’ practice. Although the provincial Ministry of Health sets the standards and provincial laws mandating the College’s jurisdiction over its registrants, there are some provincial and federal laws that can supersede the College. A few examples, although not an exhaustive list, include:

1. The laws governing patient/client privacy in Canada. You can read about this example in the Dietetic [Privacy Guide](#), which outlines that Private Practice Dietitians in BC who have BC-based clients must meet PIPA, a provincial-based set of privacy laws, while dietitians who have clients residing across provincial borders, as subject to PIPEDA, a set of federal laws.
2. The Cannabis Act is a set of federal laws that registrants must abide by. And now that cannabis is legal for sale and use, it can be pertinent for dietitians to be aware of how this affects their practice and their ability to promote/provide information about these products.

## **I am registered with CHCPBC and want to practice virtually outside of BC.**

### **Q9: Can I see clients who reside in other provinces?**

Dietitians are governed provincially. Refer to the [Virtual Dietetic Practice: Summary of Provincial Registration Requirements for Dietitians in Canada](#) to determine if there is a requirement in the province where you are hoping to practice.

If you are not required to register outside of CHCPBC, you should:

1. Disclose to their client that you are not registered as a dietitian in their jurisdiction, and
2. Become familiar with the provincial, regulations, standards and guidelines.
3. Note that some provinces require you to contact their regulatory body to inform them that you are practicing dietetics in their jurisdiction.
4. Reach out to your Insurance Company to ensure that your Liability Insurance covers your practice across jurisdictions. This includes instances where your client records are stolen or lost, or if you are unable to respond to an emergency during a virtual session with a client.
5. Note: you are required to follow the definition of dietetics in BC and comply with policies and legal requirements as they relate to you as CHCPBC registrant.

### **Q10: Can I see clients who reside in the territories?**

Yes, as a registrant of the CHCPBC, you are allowed to see clients who reside in the territories, given that the Canadian territories do not have their own dietetic college and provided that there is no legislation that would prevent you from doing so. If not already done, please review the [Virtual Dietetic Practice Policy and its Guideline](#) for more information about CHCPBC expectations from registrants for virtual practice.

### **Q11: Can I see clients who reside outside of Canada?**

CHCPBC has no jurisdiction over you if you practice outside of Canada. You must connect with the regulatory body in the State or Country where you are hoping to provide dietetic services. You will need to understand potential limitations on practicing restricted activities, possible additional insurance requirements, considerations regarding obtaining consent for virtual practice, as well as planning for medical emergencies that may occur during virtual appointments.

### **Q12: I was seeing a client who lived in BC, but the client has now moved outside of BC. Can I continue to provide dietetic care virtually?**

It depends on where your client identifies their primary province of residence. If they identify BC as their province of residence, you can continue to provide dietetic care virtually for them. If they have moved permanently outside of BC and identify their primary residence as outside of BC, you need to determine if you can continue to follow them (see the [Virtual Dietetic Practice: Summary of Provincial Registration Requirements for Dietitians in Canada](#)) or if you are no longer able to provide care. If you cannot provide virtual dietetic care and the client wishes to continue to be followed, you should refer to a registrant of the College within that jurisdiction.

You can have a look at the [Provincial and Territorial Helplines and Websites](#) to find the appropriate contact information for your client's new jurisdiction.

**Q13: Am I able to provide a consultation to a clinician working in another province without being registered in that province?**

The College is not aware of barriers for virtual interprofessional collaboration. As per [Virtual Dietetic Practice Policy](#):

*“12. Provide evidence-informed assessments, interventions and recommendations. Dietitians who provide virtual consultation to other Dietitians or other health professionals not considered to establish a direct therapeutic relationship with the client. The client in these situations remains under the care of the Dietitian or health professional requesting the consultation.”*

You are not considered to have a direct/therapeutic relationship with the client; rather you would be considered a consultant to the client's primary RD on site. The primary RD would be considered responsible for the client's care, monitoring and re-assessment and maintaining their client health record.

**Q14: Can I host webinars, workshops, groups, or chat messaging services for clients who reside in another province?**

This is a question for the dietetic regulatory body in the jurisdiction where your clients reside because it will be determined by (1) the definition of dietetics in that jurisdiction, and (2) the requirement (or lack thereof) to register in another province. Please refer to the Virtual Dietetic Practice Policy on the Quality Assurance Page to determine how to contact the appropriate dietetic regulatory body.

## **I am NOT registered with the CHCPBC and want to practice virtually in BC.**

### **Q15: Can I provide dietetic care virtually to a client who resides in BC?**

If your client identifies their primary province of residence as BC, you must be registered with the CHCPBC in order to provide virtual (and in-person) dietetic care. If you would like to register with the CHCPBC, please reach out to the College.

If not providing dietetic care (due to residential status) will be detrimental to your client, please consult [HealthLink BC](#) to connect with a dietitian who is registered in BC. This is a free service.

### **Q16: My client lives in my jurisdiction for school but is from BC. I have been seeing the client in-person for a few months and they have returned home to BC for the summer. Can I continue to provide dietetic care virtually?**

If your client identifies their primary province of residence as BC, you must be registered with the CHCPBC in order to provide virtual (and in-person) dietetic care, you must be registered with the CHCPBC in order to provide virtual (and in-person) dietetic care.

If you would like to register with the CHCPBC, please reach out anytime.

If you need to refer your client to another dietitian (who is registered in BC), please consult [HealthLink BC](#). This is a free service.

There are exceptions to the requirement to be registered with the CHCPBC and this can be discussed with the College on a case-by-case basis. Most often, this occurs when safety concerns arise or when continuity of care is at risk of being disrupted. Please reach out to the College if you feel this applies to you.

### **Q17: Can I host webinars, workshops, groups, or chat messaging services for clients who reside in BC?**

1. Are you sharing generic nutrition information that is in the public domain?
2. Are you avoiding establishing a therapeutic relationship, by presenting in a one-way format, without opportunity for audience members to ask personal questions and offer personal health information?

If you answered yes to both of those questions, your interactions are not considered exclusive to a dietitian's role in BC. You therefore do not need to be registered in BC.

In this scenario, if you find yourself in conversation where you have the potential to provide tailored nutrition advice, and/or collect personal information, and/or develop a therapeutic relationship, this is considered practicing dietetics and is limited to Collge registrants. You should refer to a CHCPBC registered dietitian via [HealthLink BC](#). This is a free service. Alternatively, you can apply to become registered with the CHCPBC. If you would like to register with the CHCPBC, please refer to contact the College.

**Q18: I am living in BC but registered outside of BC. Can I see clients virtually who live in the jurisdiction where I am registered?**

The CHCPBC regulates dietitians registered in BC who are practicing dietetics with residents of BC. As a result, the CHCPBC has no jurisdiction over you. The dietetic regulators in your jurisdiction are the ones who regulate your virtual practice with the residents in their jurisdiction. You may still benefit from accessing the Virtual Dietetic Practice Policy and Guideline on the [Quality Assurance Page](#) and given that it may provide you with questions and content to ask your dietetic regulator about, so that you are practicing as safely and legally as possible across International borders.