

CPOQ

La Corporation
des professionnels
ostéopathes du Québec

Code of Ethics for Osteopaths

Revised Version 2014

1 General provisions

- 1.01 In these regulations, unless the context indicates otherwise, the following definitions shall apply:
- a) "CPOQ": Corporation des professionnels en Ostéopathie du Québec.
 - b) "Osteopath": a professional specializing in osteopathy and member of the CPOQ.
 - c) "Member": any member in good standing with the CPOQ.
 - d) "Patient ": any person who receives care from a member of the CPOQ.
 - e) "Guardian": any person lawfully in charge of another person whose ability to express themselves is diminished.
 - f) "Complainant": any person who makes a complaint against a member of the CPOQ.
 - g) "Colleague": any person practising osteopathy.
- 1.02 The Interpretation Act, (CQLR c I-16) applies to this Regulation.

2 Professional code of ethics

- 2.01 This code of ethics has been developed by the CPOQ, a nonprofit organization that serves as a professional order for Quebec osteopaths, in the absence of status under the Professional Code.
- 2.02 This code was accepted by the Board of Directors of the CPOQ, who are thus subject thereto by consent.
- 2.03 The rules of this code relating to advertising, professional inspection, recordkeeping and private practice apply unless otherwise specified in the conditions of employment attached to a job occupied by an osteopath.

All acts contrary to the rules established in the following sections of this code are considered acts derogatory to the dignity of the profession of osteopath and can result in removal and dismissal of the member after analysis by the Disciplinary Committee.

3 Duties towards the public

Section 1: General provisions

- 3.01.01 Osteopaths shall, except for good cause, support any measure likely to improve the quality and availability of their professional services as osteopaths.
- 3.01.02 Osteopaths shall promote public understanding and information in the field in which they practice. Except for valid reasons, they shall also, in the practice of their profession, do what is necessary to play this role of public education and information.
- 3.01.03 Osteopaths must continually update their knowledge and keep informed of current professional standards and scientific knowledge in the field of osteopathy.
- 3.01.04 Osteopaths shall refrain from omissions or acts contrary to current professional standards and current scientific knowledge in the field of osteopathy.
- 3.01.05 In the practice of their profession, osteopaths shall take into account all the foreseeable consequences to society that could result from their actions, research and work.

Section 2: Advertising

- 3.02.01 Any form of advertising (cards, brochures, signs, etc.) that osteopaths use to advertise their services must be sober in nature.
- 3.02.02 The content of advertising shall be limited to the logo of their choice, the name of the osteopath, the appropriate degree D.O., the certification status M. CPOQ, (member of the CPOQ), the address of the practice, telephone number, fax number, email address or website. Any misappropriation of the title is strictly prohibited. The main areas of practice can also be mentioned.

- 3.02.03 Any osteopath or agency may use brochures to advertise professional services as an osteopath. These brochures shall simply describe the services, without evaluating them, in accordance with current scientific data in osteopathy. No information of a clinical nature shall be included in these brochures.
- 3.02.04 Osteopaths shall not pressure someone or repetitively solicit them to use their professional services.

Section 3: Professional inspection

- 3.03.01 Osteopaths shall not communicate with a complainant without the prior written permission of the head of the Disciplinary Committee, after being informed of an investigation into their conduct or professional competence or after being served with a complaint as to their conduct.

Section 4: Public statements

- 3.04.01 In their public statements concerning osteopathy, osteopaths shall avoid the use of exaggeration or sensationalism, or any statement that is not based on accepted scientific references.
- 3.04.02 At all times when expressing an opinion, osteopaths shall attempt to preserve their solidarity with the group and the members of their profession.
- Osteopaths shall avoid publicly discrediting the methods used in traditional or modern osteopathy, different from those they employ, when they meet generally accepted scientific principles of osteopathy.
- 3.04.03 Osteopaths giving public information about the processes, techniques and methods of osteopathic intervention shall clearly indicate the limitations, if any, that apply to the use of these methods and techniques.

Section 5: Research

- 3.05.01 Osteopaths must inform the CPOQ if they engage in research in osteopathy and communicate their plan of investigation. Research must respect the well-being and dignity of the subjects, and be conducted with an awareness of possible adverse effects. The subjects on which research is conducted shall be clearly informed and the osteopath must obtain informed consent from them.

4 Duties towards the patient

Section 1: General provisions

- 4.01.01 Osteopaths shall promote, in the practice of their profession, respect for life, dignity and freedom of the human person.
- 4.01.02 Osteopaths shall explain to patients fully and objectively the nature and methods of treatment they plan to offer to them.
- 4.01.03 Osteopaths in the practice of their profession, must identify themselves as a therapist to the patient. They must be able to prove they possess the appropriate qualifications and diplomas, as well as membership in the CPOQ. To this end, they can display the diplomas and certificates attesting to their qualifications at their place of work for the benefit of their patients.
- 4.01.04 Osteopaths shall seek to establish a relationship of mutual trust between themselves and their patients. To this end, the osteopath shall in particular:
- a) practice their profession in a personalized way;
 - b) conduct interviews in such a manner as to respect the values and personal beliefs of the patient when informed of them by the latter.
- 4.01.05 Osteopaths shall refrain from practising in conditions that could compromise the quality of their services.
- 4.01.06 Before accepting a mandate, an osteopaths shall consider the limits of their abilities, knowledge, and the means at their disposal. They shall not, in particular, undertake treatments for which they are not sufficiently prepared without obtaining the necessary assistance.
- 4.01.07 Osteopaths shall refrain from guaranteeing, directly or indirectly, explicitly or implicitly, the cure of a disease or complete remission of an illness or its symptoms as a result of their services.
- 4.01.08 Osteopaths shall never abuse the naivety, ignorance, inexperience or bad state of health of the patient.
- 4.01.09 Osteopaths shall at all times respect the patient's right to consult another osteopath, another professional or other person.

Section 2: Availability, diligence

- 4.02.01 Osteopaths shall demonstrate reasonable availability and diligence to the patient.
- 4.02.02 When an osteopath has reason to believe that a patient has a condition likely to cause serious consequences unless given immediate attention, they must offer to help them and provide the best care possible.
- 4.02.03 In addition to advice and guidance, osteopaths must provide patients with explanations necessary for the understanding and appreciation of the services rendered.
- 4.02.04 Osteopaths shall collaborate with the patient or their friends and family or any other person, in the patient's legitimate interest.
- 4.02.06 Osteopaths shall not, except for a just and reasonable cause, cease their services to a patient. Among others, just and reasonable causes include:
- a) loss of confidence of the patient;
 - b) the patient no longer benefits from the osteopath's services;
 - c) the osteopath is in a conflict of interest or in a situation that compromises their relationship with the patient;
 - d) incitement by the patient to perform illegal, unjust or fraudulent acts.
- 4.02.07 Should a case need to be transferred, the osteopath's responsibility for the welfare of the patient continues until it is assumed by the professional to whom the patient is referred, or until the patient's relationship with the osteopath who refers the case has ended by mutual agreement. If it happens that a transfer of the case, a consultation or other changes in treatment is indicated, and the patient refuses the transfer, the osteopath shall carefully evaluate the disadvantages that continuing the relationship could entail for the patient, for themselves and for their profession.

Section 3: Integrity, objectivity

- 4.03.01 Osteopaths must discharge their professional obligations with integrity, objectivity and moderation.
- 4.03.02 The osteopaths's behaviour towards their patients shall be appropriate and irreproachable in all regards. They must therefore avoid any behaviour

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that might suggest intimate feelings or emotional involvement whether or not it leads to an intimate relationship.

- 4.03.03 Osteopaths shall not engage in any type of activity or harassment of a sexual nature towards a patient.
- 4.03.04 In the practice of their profession, osteopaths shall respect the social code, and moral, social and individual values of the milieu in which they work.
- 4.03.05 Osteopaths respect the integrity and protect the interest of the patient with whom they work.
- 4.03.06 Osteopaths shall not resort to any procedure with the aim of forcing a person to reveal confidential information.
- 4.03.07 Osteopaths shall refrain from interfering in the personal affairs of their patients in areas that are not generally recognized as within the scope of their profession.
- 4.03.08 When an osteopath asks a patient to reveal confidential information or when they allow such information to be disclosed to them, they must ensure that the patient is fully aware of the purpose of the interview and the various uses that can be made of this information.
- 4.03.09 Osteopaths shall refrain from expressing opinions or giving contradictory or incomplete advice. They must therefore seek to have full knowledge of the facts before giving an opinion or advice.
- 4.03.10 Osteopaths shall avoid performing or multiplying, without sufficient reason, professional acts in the practice of their profession and shall refrain from performing acts inappropriate or disproportionate to the needs of the patient.
- 4.03.11 Osteopaths shall not make use of confidential information to the detriment of a patient or to obtain directly or indirectly an advantage for themselves or others.
- 4.03.12 Osteopaths shall not advise or encourage a patient or subject to perform an illegal or fraudulent act.

Section 4: Independence and impartiality

- 4.04.01 Osteopaths must at all times maintain the independence of their practice. They shall provide care to a patient only if it is directly requested, if the latter is able to express their needs. In the case of a child or a person whose health does not allow them to express themselves, the osteopath then responds only to the request of their legal representative or guardian.
- 4.04.02 Osteopaths shall subordinate their personal interest or, where applicable, that of their employer or fellow workers to the interest of their patients.
- 4.04.03 Except with respect to their fees, osteopaths shall not establish with the patient any economic relation that may affect the quality of their work.
- 4.04.04 Osteopaths shall refrain from receiving (with the exception of fees for their services as therapist) any benefit, rebate or commission in connection with the practice of their profession. Similarly, they must refrain from paying any benefit, rebate or commission in connection with the practice of their profession.
- 4.04.05 Osteopaths shall avoid any method or attitude that could give their professional activity a lucrative character.
- 4.04.06 Osteopaths shall generally act in a particular situation, for only one of the parties involved. If their professional duties require that they act otherwise, the osteopath shall specify the nature of their responsibilities and shall keep all stakeholders informed that they shall cease to act if the situation becomes irreconcilable with their duty of impartiality.

- 4.04.07 Osteopaths shall at all times safeguard their professional independence and avoid any situation where they would be in a conflict of interest. Without limiting the generality of the foregoing, an osteopath:
- a) is in a conflict of interest when the osteopath might tend to promote certain other interests against those of their patient, or their judgment and loyalty towards the patient may be adversely affected by other interests;
 - b) is not an independent adviser for a given act if there is an actual or potential direct or indirect personal benefit.
- 4.04.08 As soon as they ascertain that they are in a conflict of interest, the osteopath must notify the patient and ask them for authorization to pursue their treatment, if applicable.

Section 5: Civil liability

- 4.05.01 Osteopaths shall, in the practice of their profession, fully commit their personal civil liability. They are therefore prohibited from inserting in any contract for professional services, a clause excluding such liability directly or indirectly, in whole or in part.
- 4.05.02 Osteopaths shall have professional liability insurance coverage for their activities as an osteopath with a value of at least one million dollars (\$1,000,000).

Section 6: Professional secrecy

- 4.06.01 Osteopaths shall preserve the secrecy of all confidential information gained in the practice of their profession.
- 4.06.02 Professional secrecy also applies to children and persons under guardianship.

- 4.06.03 Osteopaths shall be released from professional secrecy only under the following conditions:
- a) If the patient authorizes it;
 - b) When ordered by law;
 - c) When patients are a danger to themselves or others.
- 4.06.04 Osteopaths shall not disclose that a person has requested their services unless the nature of the case requires it.
- 4.06.05 Osteopaths must take all reasonable steps to prevent their partners, employees or other persons whose services they employ from disclosing confidential information concerning their patients.
- 4.06.06 When an osteopath practices their profession on people with family or emotional ties, the right to confidentiality of all persons involved must be preserved.
- 4.06.07 When an osteopath is asked to deliver an expert opinion before the court, they shall inform the person examined of the fact. The report and testimony before the court shall be limited to elements relevant to the case.
- 4.06.08 Osteopaths shall respect the right of patients to consult documents concerning them in any records containing information about them and to obtain a copy of these documents.
- 4.06.09 Any information received may be disclosed in the defence of the osteopath against any charges brought against them by a patient.

Section 7: Recordkeeping in clinical practice

Sub-section 1: Patient records

- 4.07.01.01 Osteopaths registered in the directory of the CPOQ must keep records for each of their patients at the place where they practice their profession.
- 4.07.01.02 An osteopath must record for each patient, the following items and information:
- a) the file's opening date;
 - b) the patient's full name at birth, sex, date of birth, address and telephone number;
 - c) a brief description of the reasons for consultation and a summary of the evaluation and methods of intervention envisaged by the osteopath;
 - d) a description of the professional services rendered and their date;
 - e) a summary of the results and, where appropriate, recommendations to the patient;
 - f) annotations, correspondence and other documents relating to the professional services provided;
 - g) where applicable, the reports of other professionals, obtained with the patient's permission;
 - h) identification of the osteopath on notes and reports they wrote and included in the records.
- 4.07.01.03 Osteopaths shall maintain each patient file up-to-date until they cease to render professional services to the patient.
- 4.07.01.04 Osteopaths shall keep all records for at least 5 years from the date of the last professional service provided.
- 4.07.01.05 Osteopaths shall keep their records in a room or cabinet not freely accessible to the public and capable of being locked or otherwise secured.

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- 4.07.01.06 When a patient removes a document from their file or asks the osteopath to transmit information in their file to a third party, the osteopath must include in the file a note to that effect, signed by the patient and dated.
- 4.07.01.07 Osteopaths who are members or employees of a company or are employed by a natural or legal person may, if they deem fit, maintain in the files of this company or employer, all or any part of the items or information referred to in Article 4.07.01.02 concerning patients to whom they provide services. If these items or information are not thus maintained in the records of the company or employer, they must establish a file for each patient.

Osteopaths shall sign or initial each entry or report that they include in a file maintained by this company or employer.

Sub-section 2: Records when ceasing practice

- 4.07.02 When an osteopath ceases to practice their profession, they must notify the CPOQ by registered mail no later than 15 days before the date set for ending their practice. If they found a transferee, they shall indicate in the letter the name, address and telephone number of the transferee.
- 4.07.03 Osteopaths who cease their activity remain the custodian of the records of their patients until the expiration of the time specified in Article 4.07.01.04. In case of transfer to another osteopath, the records shall be transmitted to the latter, who will then be responsible for their safekeeping.

Section 8: Fees

- 4.08.01 Osteopaths shall charge and accept fair and reasonable fees that are justified by the circumstances and proportionate to the services rendered.
- They shall take into account the following factors in determining their fees:
- a) experience;
 - b) time spent performing the professional service;
 - c) difficulty and importance of the service;
 - d) performance of unusual services or services requiring exceptional competence or celerity.
- 4.08.02 When establishing the rate of professional fees, the osteopath shall carefully consider the prevailing rates for similar services.
- 4.08.03 Osteopaths shall notify their patients of the estimated and predictable cost of professional services.
- 4.08.04 Osteopaths shall provide their patients with all explanations necessary for the understanding of their statement of fees and payment terms.
- 4.08.05 For a given service, osteopaths shall accept fees from only one source, unless there is a written agreement between the parties to the contrary. They shall accept payment of their fees only from the patient or from the person who is legally responsible.
- 4.08.06 Osteopaths shall not share their fees with another person except to the extent that such sharing corresponds to a division of services and responsibilities between them.

- 4.08.07 Osteopaths shall not:
- a) provide a receipt or other documents falsely indicating that services were provided;
 - b) claim fees for professional services not provided or falsely described.
- 4.08.08 Osteopaths shall not charge interest on overdue accounts except after having duly notified the patient. Any interest must be charged at reasonable rates.
- 4.08.09 When an osteopath appoints another person to collect their fees, they shall, to the extent possible, ensure that it will be done with tact and moderation.
- 4.08.10 Before resorting to judicial proceedings, the osteopath shall exhaust all other means at their disposal to obtain payment of their fees.

Section 9: Clinical activities

- 4.09.01 Osteopaths shall interpret clinical material with caution and must avoid false or misleading interpretations.
- 4.09.02 Clinical case material or other can not serve in oral or written instruction unless the identity of the persons involved is adequately concealed to ensure confidentiality.

5 Obligations to the profession

Section 1: Advancement of the profession

- 5.01.01 Osteopaths shall, to the extent of their possibilities and needs, assist in the development of the profession by sharing their knowledge and experience with their colleagues and students, as well as participating in classes, seminars and other development activities in a perspective of lifelong learning.
- 5.01.02 When employed on a permanent, temporary or contract basis, and even when the agreement with the employer does not include any remuneration (voluntary work), osteopaths shall inform their employer, to the extent possible, of the principles and rules that guide the professional conduct of osteopaths subject to this code of ethics.

Section 2: Relations with colleagues

- 5.02.01 Osteopaths called upon to collaborate with colleagues must maintain their professional independence. If they are given a task contrary to their conscience or their principles, they may ask to be exempted.
- 5.02.02 In an emergency, osteopaths have a duty to assist their colleagues in the practice of their profession, when so requested.
- 5.02.03 Osteopaths consulted by a colleague must provide their opinion and recommendations to the latter as quickly as possible.
- 5.02.04 All osteopaths working in a group have an obligation, if someone leaves the group, to see that the person leaving is given a copy of the osteopathic file concerning subjects or patients who consulted them.
- 5.02.05 Osteopaths shall not betray the good faith of a colleague or be guilty towards them of breach of trust or disloyal practices. In particular, they shall not take credit for work done by a colleague.
- 5.02.06 In case of conflict between professionals, the osteopath seeks first the good of the patient or subject concerned, whatever it may be, and only secondly the interests of his own professional group.

Section 3: Relations with the Corporation des professionnelle des ostéopathes du Québec (CPOQ)

- 5.03.01 Osteopaths shall answer promptly all correspondence from the CPOQ, investigators or members of the Professional Inspection Committee.
- 5.03.02 Osteopaths who are requested by the CPOQ to participate in a council of arbitration of accounts, a discipline committee or a professional inspection committee must accept that duty, unless exceptional reasons.