



NLCB Policy on Treatment of Family Members-TFM-01

A Policy Regarding the Requirements of Doctors of Chiropractic with respect to the Treatment of Family Members

Intent

To set forth the requirements for Chiropractors in the province of NL with respect to the treatment of family members or those with whom they have close personal relationships.

Legislative Authority of NLCB

The Newfoundland and Labrador Chiropractic Board (NLCB) is entrusted with regulation of the practice of Chiropractic in NL to ensure that the interest and protection of the public remains paramount. One of the essential mandates as it relates to this role is the creation and enforcement of policies that relate to both the care that is expected from licensed chiropractors, as well as the manner in which the doctor-patient relationship is managed in order to maintain high standards of care. In accordance with this mandate, it is essential that chiropractors contemplate the challenges that treatment of family members or other with whom they have close personal relationships can present.

Description of policy

This policy outlines situations where a chiropractor may reasonably provide care to a family member as well as instances where a chiropractor's professional judgment may be impaired due to the existing relationship such that the delivery of care would not be in the best interest of the patient.

Definition of a Family Member

For the purposes of this policy, an individual is considered to be a **Family Member** if the chiropractor has a familial connection with the individual and this connection is close enough that it could reasonably impair the chiropractor's ability to maintain an appropriate level of objectivity or professional judgement with respect to the care of the individual. This includes

but is not limited to a chiropractor's spouse, children, grandchildren, parents, grandparents and siblings.

Definition of Spouse

For the purposes of this policy, Spouse is defined as an individual to whom the chiropractor is lawfully married or an individual with whom the chiropractor has been engaged in a conjugal relationship with which includes either an implied or written cohabitation agreement for a minimum of 12 months prior to the initiation of care.

Definition of Close Personal Relationship

For the purposes of this policy, Close Personal Relationship is defined as an individual who has a close or personal relationship with the chiropractor which is of such a nature that it would be reasonably considered to impair the chiropractor's ability to maintain objectivity or fulfill their professional obligations to the patient as required by legislation. Due to the effect that close personal relationships can have on the nature of the doctor patient relationship it is essential that the chiropractor fully consider whether they are able to conduct integral aspects of care such as:

- physical examination especially when this involves exposure or contact with sensitive areas
- detailed history taking especially in instances where the information required may be of a sensitive nature
- maintain objectivity when a close personal contact attempts to influence aspects of care or recommendations or requests specific documentation from the chiropractor which includes their professional opinion of the patient's condition which may be utilized for the patient's personal benefit. Instances where this may be considered to apply include accessing sick leave or other employment related benefits, claiming benefits for work related injuries, or claiming for financial awards related to personal injury.

Instances where treatment of family members or those with close personal relationships may be acceptable

Despite the inherent risks in providing care to those with whom a chiropractor has a close personal relationship, there are instances where providing such care either poses minimal risk or when not providing necessary care would lead to unnecessary suffering or additional harm. Instances where care may be appropriate include:

Treatment of minor conditions or injuries

Where a family member requires routine uncomplicated care for a minor condition or injury which does not warrant significant diagnostic evaluation or extensive chiropractic care, it may be reasonable for a chiropractor to provide care to that family member as long as the chiropractor remains cognizant of the fact that referral to another provider may be warranted should more extensive care be required. Examples of minor conditions include:

- mild sprains/strains where treatment largely relates to advice and minor manual intervention
- Minor and uncomplicated joint fixation/dysfunction which are acute in nature and without significant ortho/neuro findings

Treatment in cases of emergencies

Where a family member sustains an injury or presents with a condition that is significant in nature and delaying appropriate care to the individual would reasonably lead to undue pain and suffering or increased likelihood of significant deterioration in condition, a chiropractor may offer appropriate treatment to the individual for the purpose of mitigating the immediate risks of the presenting condition, assisting with pain management and stabilizing the patient's condition until the patient can be referred to another chiropractor or health care professional. Once the emergency situation has resolved, a chiropractor should not continue care of the family member unless there is no reasonable opportunity for the family member to receive care from another provider.

Treatment where no other care provider is available

In instances where the chiropractor is the only appropriately trained professional in the corresponding geographic location able to provide the care that a family member requires, it may be appropriate for the chiropractor to administer care however in these instances it is essential that the chiropractor document the rationale for providing ongoing care referencing specifically the lack of other viable options for treatment. At the earliest opportunity for appropriate referral, the chiropractor should always transfer care of the patient to another appropriately trained professional.

Obligation to maintain sufficient clinical records

When a chiropractor provides care to a family member or a close contact as described above, the obligation for the chiropractor to maintain clinical records as required by the Chiropractors Act is not absolved and in fact, due to the nature of the relationship, it is more essential that the clinical record provide sufficient detail to outline the indications for and the nature of the care provided.

This policy has an effective date of December 7, 2022. In the event of a conflict between the Chiropractic Act, 2009 or corresponding regulations and this policy, the Chiropractic Act, 2009 and regulations shall prevail.