

Clinical Conundrum

Addressing questions related to ethical and clinical practice issues in speech-language pathology and audiology



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Question: I am a private practitioner who has an affiliation with a group of health professionals. We are considering subcontracting some of our work to other regulated members of our professions. Once the subcontractors have completed their involvement with a client, we are wondering about who should retain the client files, for what duration, etc. Any assistance you could provide would be greatly appreciated.

This is a relevant question as more regulated members become involved in a variety of contractual relationships, including relationships with other private practitioners, and with agencies such as school divisions and other not-for-profit agencies.

Given the variety of players and policies involved regarding record retention, there is not a “one size fits all” answer to this question. Certainly, each professional involved should consult their respective College guidelines and any relevant legislation regarding record retention and record transfer requirements.

To that end, while files are in their possession, regulated members of ACSLPA are expected to follow the recommendations outlined in the [Clinical Documentation and Record Keeping Guideline](#). Once services have come to an end, however, different contracting agencies or individuals may have different policies regarding whom is the final “keeper of the information”. For example, many school divisions may request formal reports or documents from a subcontractor for their files; however, they do not want to be responsible for the retention of daily chart notes and/or profession specific test protocols. Other agencies or individuals may choose to request transfer of the entire client file, particularly if services are going to be provided in the future, but perhaps by another subcontractor.

ACSLPA recommends that contracting agencies or individuals develop clear policies regarding the retention of records, including the requirements of both themselves and any subcontractors with whom they establish a relationship. The policy should provide answers to some key questions, including the following:

- What is required of subcontractors; for example, what information should they return to the business owner once services have been terminated?
- What information should the subcontractor retain and have available in the event that it is required?
- For how long should the information be retained? If a contracting agency or individual requests the entire client file, then it is recommended that the subcontractor maintain a log of the names of clients that were seen as part of the subcontracting relationship, the duration they were seen, and the final disposition of the file.

In the event that contracting agencies or individuals have no documented policies, ACSLPA recommends that regulated members consider the questions outlined above and include their own policy regarding record retention as part of any contractual agreement.

Ultimately, it is imperative that there be a clear and transparent paper trail and accessibility of information, should it be required.

We welcome your thoughts on this or any other clinical conundrum! Readers are encouraged to submit both their comments and their ethical clinical issues in question format to Susan Rafaat (director2@acslpa.ab.ca) for SLP-related issues and to Holly Gusnowsky (director1@acslpa.ab.ca) for audiology-related issues.

