

SUBJECT NAME: Professional Practice and Jurisprudence

SUBJECT DESCRIPTION

The subject addresses the complexities of health care professional practice and the legal framework in which kinesiologists work in BC and Canada. The content covers Provincial and Federal legislation related to health care practice, including practices relating to informed consent, record keeping, privacy, professional and business licensing and restrictions. It also covers the relationship between professional practice standards, legislation and ethical principles upon which the standards of conduct are based. The subject material also addresses the demands of the Canadian health care environment from a collaborative, interprofessional perspective in terms of interpersonal and professional skills and professional accountability.

CONTENT COVERED

- The importance of standards of practice in health care service delivery
- Ethical principles and practices in health care
- Principles of client centered care
- The principles and role of communication and record keeping in the provision and continuity of client care
- The principles of collaboration and teamwork in the provision and continuity of client care
- Professional accountability in kinesiology practice
- Jurisprudence, Canadian and BC laws, in the provision of health care:
 - The role of the kinesiologist in ensuring client, health and safety, including infection prevention and control
 - Privacy and record keeping
 - Informed Consent
 - Restricted acts and delegation
 - Licensing and business practices

KEY PERFORMANCE INDICATORS (KPIs)

Standards of Practice

1. Describes the key principles that guide a Kinesiologist's practice, including practice standards, code of ethics, scope of practice, competency profile, and maintenance of continuing competency.
2. Identifies and explains the standards of practice that comprise professional accountability in clinical and non-clinical practice settings, such as confidentiality, competence, record keeping, conduct, and conflicts of interest.

Ethical Principles

3. Understands and employs societal ethical principles regardless of practice setting.
4. Maintains a professional image that is becoming of the profession
5. Maintains ethical and transparent fees and billing practices that comply with regulations and standards.
6. Acts openly, considers alternative methods, and provides justification for selected treatment option(s).
7. Takes an active role in information sharing and knowledge translation to improve evidence-informed practice.
8. Promotes and pursues engagement in personal and professional development activities for career growth and to advance professional competency
9. Maintains professional boundaries when using social media.

Client Centered Care

10. Explains the concepts of direct access, independent practice, client centered care, informed consent, cultural competence, and their implications for kinesiology practice.
11. Provides options to the client and considers multi-functional cost-efficiencies.
12. Respects client's rights and choices, and acts in the best interest of the client.
13. Develops a follow-up/discharge plan in collaboration with the client and stakeholders.
14. Educates the client on the availability of services to support care transition back to the community.
15. Assesses the need for accessible service and delivery strategies and develops and implements those strategies while adhering to relevant legislation and regulations.

16. Respects the individuality of clients and applies strategies that engage the client in a collaborative approach.
17. Evaluates the effectiveness of the care plan and identifies alternative approaches most likely to improve outcomes.
18. Obtains informed consent from the client for the direct involvement of support personnel and students in client care.
19. Assesses and identifies the needs relating to collaboration and congruence of interests and goals in care delivery between clients, inter-professional team members, and other stakeholders.
20. Provides regular client feedback and evaluation to improve practice competency and enhance positive client outcomes.

Communication and Record Keeping

21. Assesses the communication needs of the individual client, or special population.
22. Identifies barriers to effective communication and adapts messaging and modes of delivery to meet the needs of the target audience.
23. Accurately records client information, ensuring legibility, in either official language of Canada (English or French).
24. Verifies the accuracy of verbal and written communication.
25. Identifies situations where the client may not have the capacity to provide informed consent and involves the client's legal representative or a substitute decision-maker in the informed consent process when the client's capacity, and/or maturity to fully understand information is doubtful.
26. Communicates clearly, concisely, comprehensively, accurately, and using correct grammar and spelling.
27. Obtains the client's informed consent when developing, and prior to implementing, a plan to alter and/or improve the client's function and/or ability by communicating the purpose, risks, benefits, disadvantages, alternatives, and cost of the proposed treatment plan or contract.
28. Documents the informed consent process and the client's understanding of the information provided, including if consent was obtained, refused, or withdrawn.
29. Documents involvement of, and the client's consent to involve, support personnel in the services being provided.
30. Records any delegation of a restricted act, including the specific instructions related to the delegation, including acceptance of the delegation, and the name, date, and designation of the person delegating the restricted act.
31. Maintains clear, accurate and comprehensive records of all client encounters, recommendations, and plans to support continuity of client care and demonstrate professional accountability.
32. Documents critical incidents and errors as a component of quality control and improvement.
33. Evaluates and ensures documentation is accurate and complete prior to applying their signature/initials to a record entry or report and prior to closing a client record.
34. Maintains confidentiality and security in the collection, sharing, storing, and releasing of personal information.

Collaboration and Teamwork

35. Describes interprofessional practice and explains the key competencies required to work within a health care team setting.
36. Understands the role of the kinesiologist in interdisciplinary practice settings.
37. Demonstrates effective, appropriate, and timely consultation with experts and others.
38. Collaborates with others when the required skill is beyond one's own competence.
39. Promotes inter-professional collaboration when making decisions, problem solving and/or engaging in conflict resolution.
40. Knows and supports the full scope of practice of team members.
41. Builds partnerships based on respect for the unique and shared competencies of each team member.
42. Demonstrates understanding of the role and approved responsibilities of support personnel and students.
43. Assigns tasks according to the individual's personal sphere of competence and organization's policies.
44. Informs referral source, and other relevant parties, when they are unable to perform an act or procedure.

Professional Accountability

45. Recognizes opportunities and acts to improve professional accountability, such as client-centered care, cultural competence, and professional boundaries in the health professional-client relationship.
46. Collects and records appropriate subjective and objective data and evaluates the accuracy and relevance of the information.
47. Demonstrates the ability to identify the knowledge, skill and judgment required to provide appropriate client services and only performs procedures that are within their personal sphere of competence,
48. Identifies and informs the client when an activity is not within the profession's scope of practice, the kinesiologist's personal sphere of competency, is restricted by legislation, or requires authorization through delegation along with the necessary competency to perform the procedure.
49. Respects the client's cultural beliefs, values, and privacy during the assessment and treatment.
50. Identifies limitations for treatment within scope of practice and refers to other health professionals when required, including the level of urgency in making the referral.
51. Regularly evaluates the plan of care and/or exercise prescription and makes modifications when required.
52. Discontinues services in situations where the kinesiologist determines services should not be continued and notifies the client and stakeholders.
53. Complies with the terms and conditions of the service agreement with a treatment funder.
54. Engages in knowledge transfer activities to promote improvements and/or changes in practice.
55. Accepts responsibility and accountability for actions and decisions.
56. Practices in a manner that respects diversity and avoids prejudicial treatment of an individual, group or population.
57. Recognizes, manages, and declares real, potential, and perceived conflicts of interest.
58. Identifies and manages conflict with professional obligations and organizational policies.
59. Manages dual practice by separating one's kinesiology practice from other professional roles and not holding oneself out to be a kinesiologist when performing activities that are not within the scope of practice or while working as a support worker for another health professional.
60. Accurately and consistently communicates professional title and designation.
61. Proactively works to minimize foreseeable risks to privacy and confidentiality.
62. Recognizes warning signs of potential and/or actual boundary crossing and takes action to manage the situation.
63. Recognizes and manages inequalities (real or perceived) in balance of power between the client, staff, students, and self.
64. Demonstrates effective problem-solving and professional judgment.
65. Recognizes situations where services should be adjusted, limited, modified or discontinued.
66. Demonstrates insight into personal expertise and limitations.
67. Analyzes and synthesizes information and identifies new information, patterns, and findings.
68. Integrates relevant information with previous learning, experience, professional knowledge, and current practice models.
69. Educates employers, other stakeholders, and the public on the role, and the potential benefits, of receiving care from kinesiologists.
70. Enables others to openly communicate and to consider other opinions.
71. Manages differences, misunderstandings, and limitations that may contribute to inter-professional tensions in an effective and diplomatic manner
72. Leads, and/or participates, in quality assurance and improvement initiatives.
73. Employs principles of productivity to optimize efficient resource utilization.
74. Maintains professional and ethical financial practices.
75. Acknowledges and respects the opinions, creativity, values, beliefs, and perspectives of others.
76. Identifies opportunities for shared benefit and/or vision.
77. Anticipates and takes responsibility for managing potential negative outcomes.
78. Confirms if the required services are within the scope of practice of kinesiology and their own personal competence.
79. Builds rapport and trust within professional relationships, while respecting boundaries.
80. Identifies risk and safety issues in the work environment and takes action to manage or mitigate risk and/or safety issues.

Jurisprudence

81. Defines jurisprudence and demonstrates knowledge of the laws/legislation impacting informed consent, privacy, confidentiality, health and safety, infection prevention and control.
82. Explains the roles of the federal and provincial governments in the funding, organization, and delivery of health care across Canada.
83. Describes where kinesiologists work, their scope of practice, and roles within the continuum of health care across Canada.
84. Understands the roles of health professions' regulatory colleges and professional associations within the practice of kinesiology in Canada.
85. Explains and understands a kinesiologist's legal responsibilities to practice in Canada.
86. Reflects on the similarities, differences, and implications for practice between the Canadian context (structure of health care, regulations, ethics, practice standards, client centered care and health care teams) and the kinesiologist's current practice context.
87. Demonstrates understanding of when a restricted act can be performed without authorization.
88. Recognizes and reports unsafe, unethical, and/or incompetent practice or behaviours.
89. Obtains informed consent for the collection, storage, use, and disclosure of personal information.
90. Demonstrates an understanding of when information can be withheld and/or released without client consent.
91. Takes action to ensure organizational policies align with professional obligations, regulations, and legislation.