

## TELEPRACTICE

### What is telepractice?

Telepractice involves the application of technology to deliver services over a geographical distance.

COTM considers telepractice as a method of providing service whereby the occupational therapist and the client are in distinct locations.

Some use the term “Virtual Practice”.

For the purposes of the document, the focus is on information needed for those **outside** of Manitoba contemplating providing OT services to clients in Manitoba through the use of technology when they and the clients are in disparate locations.

To add further clarity, when using telepractice, COTM considers your occupational therapy practice to have occurred in the jurisdiction in which you, as the practitioner, are located. Further, COTM considers you fully accountable for your practice to your regulator in that province, even though your clients are outside of that jurisdiction.

### What are the basics?

Prior to the pandemic, COTM did not require registration for those providing OT services via telepractice from outside the province to Manitobans. During the pandemic, COTM adopted practices similar to those of all other OT regulators requiring out of province OTs to secure Temporary Registration.

**As of January 1, 2022 COTM will return to its previous arrangement.** However, this document provides guidance on some key topics: professional accountability, complaints, reserved acts, and insurance.

### Do I need to be registered to provide services via telepractice to Manitobans?

Yes, if you are providing telepractice services to Manitobans before January 1, 2022 you will need to apply for Temporary Registration with COTM. Given we are still in a public health emergency there is no cost for this registration; and extensions beyond the permitted two month limit can be secured with a simple request. You will be required to sign an Undertaking with COTM.

[Temporary Registration – College of Occupational Therapists of Manitoba \(cotm.ca\)](https://cotm.ca/Temporary-Registration)

After December 31, 2021, you would not need COTM Temporary Registration however, you must be registered in your own jurisdiction.

### Where can I find information about Telepractice?

There are a number of resources that may be useful to you, some of which have been created by the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO):

- COTM Guideline on Telepractice [Guidance Document for MB OT Regarding Telepractice \(cotm.ca\)](https://cotm.ca/Guidance-Document-for-MB-OT-Regarding-Telepractice)
- ACOTRO Information Sheet for Clients about Virtual Practice (link pending)
- ACOTRO Memorandum of Understanding regarding Virtual Practice (link pending)
- COTM Fact Sheet on Temporary Practice [FACTS-Temporary Registration \(cotm.ca\)](https://cotm.ca/FACTS-Temporary-Registration)

### What do I need to know about professional accountability?

Even if you are not registered in Manitoba, it is essential that you understand the key Manitoba legislation and regulations that may still be relevant to your practice. COTM has a link to some notable pieces of

legislation that you are urged to review. [Legislation and Government Resources – College of Occupational Therapists of Manitoba \(cotm.ca\)](#)

By way of example, the access provisions of the Personal Health Information Act (PHIA) should be reviewed so that you are familiar with the expectations a Manitoba client may have regarding receiving copies of their record.

Child protection legislation is a paramount importance to review if you are working with Manitoba families and children.

You are also encouraged to review all of COTM's practice standards and guidelines as they may also refer to jurisdictional specific information. [Practice Guidance & Expectations – College of Occupational Therapists of Manitoba \(cotm.ca\)](#)

### **What do I need to know about complaints?**

If you are not registered with COTM to practise occupational therapy in Manitoba, then COTM will have no ability to receive complaints from your Manitoba clients about your practice. If they contacted COTM they would be redirected to the regulator with whom you are registered. It is your professional obligation to ensure that clients know where you are registered and, if needed, facilitate their contacting the regulator.

### **What do I need to know about Reserved Acts?**

*Reserved acts*, *protected acts*, and *restricted acts* are similar terms for a description of health interventions that are considered high risk and can only be carried out by those designated to do so.

In some jurisdictions the legislation governing one or more professions will describe the reserved acts. Regulations will then identify which health professionals can legally carry out these reserved acts.

In Manitoba, COTM will eventually be legislated under the *Regulated Health Professions Act* (of Manitoba) and occupational therapists practising in Manitoba will be working under the a “reserved act” structure. [S.M. 2009, c. 15 \(gov.mb.ca\)](#)

In the meantime, OTs in Manitoba are governed under *The Occupational Therapists Act* [C.C.S.M. c. O5 \(gov.mb.ca\)](#). It does not include a reserved act structure. No OT is permitted to perform a reserved act unless it is already a part of their current practice or through an Order under the RHPA. If you have questions about reserved acts and the provision of telepractice to Manitobans you are urged to contact COTM for guidance.

### **What do I need to know about insurance?**

As stated you, are accountable to the regulator in the jurisdiction in which you are registered; therefore you will need to meet the insurance requirements of that regulator. Nevertheless, you are urged to ensure that the professional liability insurance you carry provides for the provision of services through telepractice.

### **Is COTM's approach the same as all other provinces in Canada?**

No, each OT regulator works under different legislation and therefore has approaches to telepractice that complies with that legislation.

For more information, please contact COTM at (204) 957-1214 or by email at [registration@cotm.ca](mailto:registration@cotm.ca)

This publication is provided for general information. For more specific information see

The Occupational Therapists Act and Regulation.

COTM publications are available on our website at [www.cotm.ca](http://www.cotm.ca)