

## Virtual Care Policy

### PURPOSE:

This policy articulates the College's expectations regarding the provision of virtual care to patients.

For the provision of virtual care to patients located in another jurisdiction, the College expects registrants to comply with this policy as well as the Cross-Jurisdictional Pharmacy Services policy.

### DEFINITIONS:

**Virtual Care:** a professional interaction between a registrant and a patient that occurs remotely using an enabling technology, such as videoconferencing, text messaging, web-based and mobile applications, that facilitate registrant-patient interaction. In pharmacy, virtual care pertains to clinical activities beyond the regular interactions that occur with patients using a telephone.

**Informed Consent:** a consent to treatment is informed if, before giving it, the person received the information about the nature, expected benefit, potential risks or side effects, other options and consequences of not having the treatment (or any information that a reasonable person in the same circumstances would require in order to make a decision about the treatment) and the person received responses to their request for additional information ([Health Care Consent Act, 2004, s.11\(2\)](#)).

**Personal health information (PHI):** any information relating to a person's health that identifies the person, including, for example, information about their physical or mental health, family health history, information relating to payments or eligibility for health care, and health card numbers, as well as any identifying information about a patient's substitute decision maker. (For the legislative criteria, see [Personal Health Information Protection Act, 2004, s.4](#))

### POLICY:

Registrants providing virtual care to patients must meet or exceed all applicable standards, guidance, and legislative requirements for in-person care. Each patient must receive the same standard of care whether they are receiving that care in person or through a virtual visit.

Registrants must practice within the limits of their knowledge, and the decision to provide virtual care must be made in the best interest of their patient.

### Providing Virtual Care Services

Registrants must determine whether virtual care is a suitable method of care delivery for the patient interaction and whether providing care virtually will enable them to meet all legal and professional obligations before deciding to provide virtual care to their patients.

A registrant-patient relationship is established when virtual care services are provided, in the same way that a registrant-patient relationship is established when providing pharmacy services in-person.

Documentation requirements remain the same regardless of whether pharmacy services are provided to a patient in-person or through a virtual visit.

#### *Assess Appropriateness of Virtual Care Delivery*

Registrants must assess whether virtual care is appropriate for the patient. When making this assessment, registrants are advised to consider the patient's existing health status, specific-healthcare needs and specific circumstances. The benefits to the patient must outweigh any risks to the patient when determining whether to provide virtual care.

#### *Obtain Informed Consent*

Before providing virtual care to a patient, a pharmacist must obtain informed consent from the patient or substitute decision-maker.

- Patients or their substitute decision-maker must be informed of the ways in which their right to privacy will be protected and how the confidentiality of their personal health information will be maintained.
- Prior to engaging in virtual care registrants must ensure that this informed consent is received explicitly from the patient or substitute decision-maker, either orally or in writing.
- Registrants must document that they have received consent to deliver virtual care and the mechanism used to provide virtual care in the patient's record.

#### *Maintain Privacy and Confidentiality*

Maintaining privacy is a legal and ethical expectation. Registrants providing virtual care must safeguard their patients' right to privacy by ensuring that any technology used has privacy and security settings in accordance with the [Personal Health Information Protection Act, 2004](#), and that any processes used to safeguard personal health information (PHI) include a [mechanism for notification of theft or loss](#) as required by law. At a minimum, the technology used must have controls to ensure only the intended patient has access to the virtual visit. Whenever personal health information is transmitted and/or stored, secure encryption must be used.

Registrants must confirm the patient's identity before providing virtual care, regardless of whether the patient is new to the pharmacy or if a preexisting registrant-patient relationship exists.

Registrants must provide virtual care in a private environment that ensures patient information is not overheard or seen by others. Communicating this to patients, as well as confirming that they are also in a private environment, is advised.

### *Ensure Safe and Appropriate Environment*

Registrants must ensure that the physical setting in which care is being delivered is appropriate and safe. If observing the administration of a medication, registrants must have a plan in place to manage adverse events and/or emergencies.

Registrants providing virtual care must ensure that the method used is functioning properly and maintains adequate connectivity to support the virtual visit. Due to the instability of some network connections, registrants are advised to have a contingency plan in place to ensure that patients are able to access the pharmacy services they need if an internet connection cannot be maintained.

#### **LEGISLATIVE REFERENCES:**

*Healthcare Consent Act, 2004, s.11(2)*

*Personal Health Information Protection Act, 2004, s.4*

#### **ADDITIONAL REFERENCES:**

[Virtual Care Guide - Ontario Pharmacists Association](#)

Article - Protecting Patient Privacy (p.34) – [Pharmacy Connection Winter 2018](#)

Article - Reporting Privacy Breaches (p.22) – [Pharmacy Connection Fall 2016](#)

Article - Releasing Personal Health Information (p.32) – [Pharmacy Connection Summer 2013](#)

#### **IMPLEMENTATION**

**Published:**

**Version #:** 1.00

**College Contact:** Practice Department

#### **Revision History**

| <b>Version #</b> | <b>Date</b> | <b>Action</b>        |
|------------------|-------------|----------------------|
| 1                |             | New policy developed |