



Code of Ethics

PURPOSE:

The Legislature of Manitoba has granted to the profession the privilege of self-regulation for the purpose of protecting the public and promoting the public interest. This Code of Ethics is a set of principles of professional conduct which establishes the requirements and expectations for physiotherapists in fulfilling duties to their clients¹, to the public, to the profession, and to their colleagues. Because the Code addresses broad ethical obligations, the onus is on individual physiotherapists to maintain a working knowledge of, and comply with, the relevant legislation and the policies of the College, the workplace, and jurisdictions in which they practice. For the purpose of this code of ethics, “legislation and the policies of the College” includes but is not limited to *The Physiotherapists Act*, Regulations, By-Laws, Practice Statements/Directions, Standards of Practice, Registration and Licensing as well as Governance Directions.

For those about to enter the profession, the Code identifies the basic moral and ethical commitments of physiotherapy and will serve as a source for education and reflection. For those within the profession, the Code provides direction for ethical practice; in so doing, it also serves as a basis for self-evaluation. For those outside the profession, the Code provides public identification of the profession’s ethical expectations of its members.

SECTION 1: ETHICAL OBLIGATIONS TO CLIENTS

The physiotherapist is obligated to render optimal physiotherapy care by recognizing the health needs unique to each of his or her clients and by placing these before all other considerations. Integral to exemplary professional practice is the physiotherapist’s commitment to provide safe, effective care in accordance with the profession’s standards and values, and to refuse to participate in any arrangement that could be construed as a conflict of interest or as financial, emotional, physical or sexual abuse.

1.1 SERVICE

As primary health care providers, a physiotherapist’s first responsibility is a duty of care to clients. As such, the competent and timely delivery of appropriate care within the bounds of clinical circumstances presented by clients shall be the most important aspect of that

1. Client is the person, family group, community or organization receiving professional services, products or information. A client may also be a patient. A patient is a person who receives clinical physiotherapy services (adapted from the Essential Competency Profile Physiotherapists in Canada, May 3, 2004)

responsibility. The physiotherapist will avoid over-utilization of his/her services. The type and duration of treatment should reflect current scientific evidence as available. Treatments should be discontinued when they are no longer necessary or effective.

1.2 PROVISION OF CARE AND CLIENT WELL BEING

The physiotherapist is committed to promoting the well being of all clients. The primary goal is to optimize the client's health related quality of life and physical function.

The Physiotherapist:

- 1.2.1 Acts in the best interest of the client, protects the client's rights and dignity.
- 1.2.2 Respectfully addresses the needs of the client regardless of gender, age, ethnic origin, religion, culture, language, sexual orientation or health status.
- 1.2.3 Recognizes the client's right to have his or her physical modesty and psychological boundaries protected.
- 1.2.4 Maintains ongoing constructive communication with the client and all relevant parties. These parties may include the client's family/significant others, members of the health care team, outside agencies and /or third party payers where appropriate.
- 1.2.5 Assists the client in expressing his or her needs.
- 1.2.6 Understands and complies with policies guiding distribution of resources in the workplace and helps improve such policies when necessary.
- 1.2.7 Assists the client whose needs are not met within the established policy framework.

1.3 DELEGATION OF PHYSIOTHERAPY SERVICES

The physiotherapist must be confident that the individual being assigned tasks has the knowledge and skills to carry out the tasks. Activities that require the unique judgement, skill and knowledge of a physiotherapist should not be assigned to non-physiotherapists.

1.4 INFORMED CHOICE / CONSENT FOR TREATMENT

The physiotherapist shall respect the client's right to participate in treatment decisions, to be informed of the potential risks and benefits of treatment options and venue, and to accept or refuse such treatment without coercion.

The Physiotherapist:

- 1.4.1 Provides information required to help clients make informed decisions about physiotherapy services, e.g. the purpose and effect of specific interventions, potential risks, and the anticipated frequency and duration of service.

- 1.4.2 Refrains from coercing the client's consent or penalizing the client prior to, during, or following a treatment, if he or she refuses an intervention.
- 1.4.3 Refrains from withdrawing necessary services without providing the client with reasonable advance notice and / or taking steps to transfer the client's care to another physiotherapist.

- 1.4.4 Respects the client's right to make an informed choice when deciding among physiotherapists, facilities or services by disclosing fully and honestly all relevant information, e.g. factors that could influence the client's choice of publicly funded or private services.
- 1.4.5 Facilitates referral to another physiotherapist when asked to do so by the client.
- 1.4.6 Respects the client's right to make decisions about alternate health providers, facilities and services.

1.5 INTEGRITY

The physiotherapist shall safeguard professional independence. Challenges to integrity can arise as a result of many situations, including conflict between the physiotherapist's conscience or standard of service and a request from a client, employer or agency.

The Physiotherapist:

- 1.5.1 Answers client questions truthfully, objectively and as completely as possible.
- 1.5.2 Informs the clients promptly if any errors have occurred during the course of treatment.
- 1.5.3 Reviews options for action when faced with difficult decisions, consulting colleagues as needed.
- 1.5.4 Makes known possible conflicts between personal values and those of employers, agencies or third-party payers and where possible, attempts to resolve such differences.
- 1.5.5 Shall not allow any compromise of professional integrity or place himself /herself in a real or perceived conflict of interest situation.

1.6 CONSULTATION AND REFERRAL

The physiotherapist shall provide treatment and/or answer client questions only when competent to do so by reason of their training or experience; otherwise a consultation and/or referral to appropriate practitioners is warranted. The client should be advised of all relevant details pertaining to the referral.

1.7 CONFIDENTIALITY AND RELEASE OF INFORMATION

The physiotherapist is obligated to maintain the privacy of clients' personal information (verbally, written, or electronically acquired), and must not disclose such information to anyone without proper client authorization or as required by law. Physiotherapy reports

or records must be released to clients or to whomever the clients direct, as per privacy legislation. (e.g. *Personal Health Information Act (PHIA)* and *Personal Information Protection and Electronic Document Act (PIPEDA)*) This obligation exists regardless of the state of any client's account.

1.8 PERSONAL BOUNDARIES

The physiotherapist shall recognize the power imbalance inherent in all physiotherapist–client relationships and shall avoid situations where judgment regarding client service could be compromised. The physiotherapist shall refrain from:

- i) making remarks or gestures that may be interpreted as sexually demeaning
- ii) engaging in any sexual relationship or activity with the client
- iii) engaging in behavior that could be construed as harassment of clients, associates, or employees

1.9 COMPETENCE

The physiotherapist has the necessary combination of knowledge, skills, attitudes and judgement required to provide service in accordance to the College's Standards of Practice, Position Statements and Practice Statements/Directions. A physiotherapist has an obligation to keep his/her knowledge and skills current throughout his/her career.

The Physiotherapist:

- 1.9.1 Engages in ongoing learning to continually improve his/her knowledge and professional skills in order to maintain an optimum standard of practice.
- 1.9.2 Plans and delivers physiotherapy interventions using evidence based practice approach.
- 1.9.3 Exercises competent and professional judgement.
- 1.9.4 Demonstrates commitment to the College's continuing competence program.
- 1.9.5 Refrains from practicing outside his or her level of competence.
- 1.9.6 Provides treatment in a manner which ensures the safety of the client and himself/herself.

1.10 FITNESS/ INCAPACITY TO PRACTICE

The physiotherapist may experience medical or behavioural impediments to competence and shall refrain from providing services if his or her ability to do so is compromised. The physiotherapist shall inform the College when injury or illness affects his/her ability to practice safely and competently. Any physiotherapist with first hand knowledge of a colleague who is practicing physiotherapy while incapacitated has an ethical responsibility to report such evidence to the College.

1.11 COLLEGIALITY

Improving the client's well being may require the contribution of many health care providers. Collaboration and communication are essential to ensure quality services.

The Physiotherapist:

- 1.11.1 Assists other physiotherapists and health professionals as requested or needed.
- 1.11.2 Shares information with team members, provided client consent is obtained where required.
- 1.11.3 Collaborates with team members in the planning and evaluation of client care.
- 1.11.4 Respects the members of the health care team and recognizes their expertise.
- 1.11.5 Intervenes, as needed, if any members of the health care team appear to be providing services to the client in an incompetent, incapacitated or unethical manner.
- 1.11.6 Refrains from providing care in cases where a second practitioner is known to be treating the client and:
 - (i) the services constitute a duplication;
 - (ii) the second practitioner is known to have conflicting treatment philosophies or client care objectives;
 - (iii) the second practitioner has a similar scope of practice and client care objectives, but there is no communication or consultation between practitioners.

SECTION 2: ETHICAL OBLIGATIONS TO THE PROFESSION

The physiotherapist should refrain from engaging in any activity that would violate the "Code of Ethics" or bring discredit upon the profession. The physiotherapist has an obligation to participate in the advancement of the profession and to support organizations engaged in physiotherapy education, research and advocacy.

2.1 SUPPORT OF THE PROFESSION

The physiotherapist will uphold the dignity and honour of the profession by practicing in accordance with its standards and values. The physiotherapist will participate in initiatives aimed at improving those standards.

2.2 EDUCATION

Quality education in both clinical and academic settings is essential to the effective practice and advancement of physiotherapy. The physiotherapist should use the "Code of Ethics" as a teaching tool and exemplify its principles by serving as a role model for ethical conduct.

The Physiotherapist:

- 2.2.1 Has a responsibility to participate in educational and mentoring opportunities.

- 2.2.2 Promotes ethical conduct in all aspects of educational activity by interacting with students in a fair, respectful and professional manner, both in clinical and academic settings.

2.3 RESEARCH

Ongoing research into the science, teaching and practice of physiotherapy is necessary to advance the profession.

The Physiotherapist:

- 2.3.1 Promotes physiotherapy research that contributes to improved client outcomes and supports the incorporation of resulting evidence into practice.
- 2.3.2 Reports research that appears to be unethical or illegal, or that violates the organizations established research protocols or the laws of the jurisdiction in which the research is conducted.
- 2.3.3 Uses a recognized scientific method when conducting research and shall follow an acceptable ethical code for research on any and all subjects.

SECTION 3: ETHICAL OBLIGATIONS TO THE PUBLIC

The physiotherapist represents his/her professional values to the public while participating in all professional activities.

3.1 REPRESENTATION

The physiotherapist shall follow the College's Position Statements, Practice Statements/ Directions, as well as the Registration and Licensing Directions while representing him/herself in a manner that contributes to the public's trust and confidence in the profession. The physiotherapist shall represent his/her education, qualifications or competence in a way that is truthful and professional.

3.2 ADVERTISING AND PROMOTIONAL ACTIVITIES

The physiotherapist shall build his/her reputation on professional competence and integrity. Any advertising or promotional activities will uphold the dignity and integrity of the profession.

The Physiotherapist:

- 3.2.1 Follows the advertising Policies and Position Statement/Practice Directions of the College.

- 3.2.2 Refrains from using any form of promotional communication that contains sensational claims.
- 3.2.3 Refrains from soliciting the patronage of clients known to be under the care of another member.

3.3 CONTRACTUAL SERVICES

The physiotherapist is obligated to ensure that his/her practice conforms to the Policies and Position Statements/ Practice Directions of the College. When entering into contracts with other parties relating to the practice of physiotherapy, the onus is on the physiotherapist to ensure that the terms or conditions under which he/she is practicing do not compromise his/her ability to deliver quality care.

The Physiotherapist:

- 3.3.1 States explicitly any reservations concerning the standards or values of the agency/employer and attempts to rectify employment practices that are in conflict with the ethical principles of the profession.
- 3.3.2 When working for non-physiotherapists, assumes responsibility for verifying that such arrangements do not violate the ethical principles of the profession.

3.4 FEES AND COMPENSATION FOR SERVICE

The physiotherapist is required to conduct him/herself in accordance with the Code of Ethics and acceptable professional standards. The physiotherapist is entitled to reasonable compensation for services performed.

The Physiotherapist:

- 3.4.1 Adheres to ethical business principles and practices.
- 3.4.2 Charges fees that are reasonable for the services performed.
- 3.4.3 Refrains from participating in any arrangement that financially rewards referral sources.
- 3.4.4 Refrains from exploiting the physiotherapist-client relationship to enhance his or her own personal income, e.g. by failing to disclose personal financial interests in services recommended to clients.

3.5 COMMUNITY INITIATIVES / ACTIVITIES

Physiotherapists, by virtue of their education and role in society, are encouraged to support and participate in community affairs, particularly when these activities promote the health and well being of the public.

The Physiotherapist:

- 3.5.1 Participates in activities where his/her expertise can be beneficial.
- 3.5.2 Collaborates with other health care groups in public education activities.

- 3.5.3 Refrains from providing any type of physiotherapy treatment when providing public information or education outside his or her regular practice.
- 3.5.4 Accepts and creates opportunities to inform the public about the profession's values, principles and activities.
- 3.5.5 Cooperates with other groups to resolve particular problems or address specific needs.

CONCLUSION:

Professionals must demonstrate ethical obligations to their clients, the profession and to the public. Our Code of Ethics is an evolving document. It is neither a complete articulation of all ethical obligations nor could it possibly cover all situations that arise in practice. The ethical principles, upon which this Code is based, however, can be universally applied. The members are expected to use these guidelines to determine the propriety of their professional conduct and to demonstrate sound moral judgement and personal integrity in their professional endeavours. Ethical obligations may, and often do, exceed legal duties.

Acknowledgement:

The College of Physiotherapists of Ontario
Manitoba Dental Association