

DELEGATION

Intent

To advise Registrants of the requirements with respect to delegation of controlled acts in their practice.

Definitions

Authorized act: Means a whole or part of a controlled act authorized to the profession set out in subsection 4(1) of the [Naturopathy Act, 2007](#).

Controlled Act: Means a controlled act set out in subsection 27(2) of the [Regulated Health Professions Act, 1991](#).

Delegatee: A person to whom delegation is made and who has the knowledge, skill and judgment to perform the act, but are not authorized. This may include but is not limited to: a patient themselves, a health care provider who has a professional relationship with the patient, a person in the patient's household or a person who routinely provides assistance or treatment to the patient.

Delegation: For the purposes of this standard of practice, delegation is a process whereby a Registrant authorized to perform a controlled act under the *Naturopathy Act, 2007* confers that authority to someone - regulated or unregulated - who is not so authorized and not a Registrant of this College (i.e. a ND registered with the College of Naturopaths of Ontario cannot delegate an authorized act to another ND registered with the College of Naturopaths of Ontario). A delegation is not a referral.

Delegator: A person making the delegation.

Exempted Act: Means a whole or part of a controlled act that is not authorized to the profession in the *Naturopathy Act, 2007* but may be performed by Naturopathic Doctors via an exemption in the *Regulated Health Professions Act, 1991*.

Referral: A process whereby a Registrant makes a formal request for care to another health care practitioner on behalf of the patient and is supported by documentation containing appropriate background information on the patient and outlining the reason for the referral.

STANDARD 1

The Registrant has acquired and maintains the knowledge, skill and judgment necessary to perform the authorized act to be delegated safely, ethically, and competently prior to delegating the act.

A Registrant demonstrates the standard by:

- only delegating a controlled act authorized to the profession in subsection 4(1) of the *Naturopathy Act, 2007*,
- possessing the knowledge, skill and judgment to perform the authorized act,
- only delegating the performance of an authorized act that the delegator is capable of performing,
- only delegating an authorized act that forms part of their practice,
- never delegating a controlled act that was delegated to them,
- never delegating the authorized act of communicating a diagnosis and
- never delegating acupuncture.

STANDARD 2

The Registrant maintains responsibility and accountability for the performance of a delegated authorized act. The Registrant only delegates to individuals who have the knowledge, skill and judgment to perform the delegated act.

A Registrant demonstrates the standard by:

- assessing the risk of harm and the potential benefit of the delegated procedure,
- ensuring that the delegation is appropriate, bearing in mind the best interest of the patient,
- being satisfied that sufficient safeguards and resources are available so that the procedure may be performed safely and ethically,
- ensuring that the delegatee has the appropriate knowledge, skill and judgment to perform the authorized act,
- documenting the date of the delegation and the conditions under which the delegation occurred,
- ensuring that each delegation is for a specific procedure for a specific patient, to be delivered in a specific timeframe,
- ensuring the competency of the delegatee,
- ensuring that the delegatee is appropriately covered by insurance (where applicable) to meet any liability which may arise from the performance of the delegated act,
- putting in place and documenting a communication plan between themselves and the delegatee relating to the appropriate management of any adverse events that may occur, including but not limited to:
 - where the delegatee is the patient or a person in the patient's household, being reasonably available to appropriately respond to the delegatee as needed while the delegated act is being performed, and
 - where the delegated act is being performed in the office/clinic, being onsite or reasonably available to appropriately supervise the delegatee while the delegated act is being performed.
- ensuring that the delegation conforms with the delegatee's own College regulations, policies and guidelines, when the delegatee is a registered health care practitioner, and
- ensuring that the appropriate documentation is maintained, whether the delegation was made orally or in writing, and includes:
 - the particulars of the delegation which are made available to the delegatee before the authorized act is performed,
 - the particulars of the delegation included in the patient record, and
 - the communication plan.

STANDARD 3

The Registrant delegates authorized acts in the context of an existing naturopathic doctor-patient relationship.

A Registrant demonstrates the standard by:

- conducting a complete assessment of the patient,
- informing the patient of the qualifications of the delegatee, and
- obtaining informed consent prior to the performance of the delegated act.

STANDARD 4

The Registrant accepts delegation of controlled acts from another regulated health professional provided that all the necessary conditions for delegation are met.

A Registrant demonstrates the standard by:

- ensuring that the delegator has the authority and competence to perform and to delegate the controlled act,
- ensuring that they meet the following requirements before performing a delegated controlled act:
 - they have the knowledge, skill and judgment to perform the controlled act safely, competently and ethically,
 - they have a naturopathic doctor-patient relationship with the patient,

- performing the controlled act is appropriate, bearing in mind the best interests of the patient,
 - the controlled act can be performed safely and ethically and that there are sufficient safeguards and resources available, and
 - any applicable conditions have been met.
- ensuring that receiving the delegation of the controlled act is appropriate considering:
 - the known risks and benefits of performing the procedure for the patient,
 - the predictable outcomes of performing the procedure,
 - the patient's wishes and consent,
 - the safeguards and resources available and
 - any other relevant factors specific to the situation.
- maintaining proper documentation of the process of delegation including:
 - the date and specific activities that were accepted by delegation,
 - the name, registration number, and discipline of the delegator,
 - the delegator's education and qualifications related to the delegated procedure,
 - any applicable conditions and
 - the period of time that the delegation remains in force.
- ensuring that they have met the *Standard of Practice for Prescribing and IVIT* before accepting a delegation related to performing the procedures related to prescribing, compounding, dispensing, selling a drug or administering a drug by injection or inhalation.