



Records Management – Therapist Succession Plan for Client Files

In order to comply with the motion carried at the March 29th, 2015 AGM in Saskatoon, making an amendment to the Association Bylaws, all members must complete this form and return to the MTAS. ***If you work in a clinic where all client files are the property of the business and you are not permitted to remove them if you no longer work there, the clinic owner/manager is the file guardian.***

Records Management 11.8 (8) (e)

Members must have on file at the MTAS office or the Saskatchewan College of Massage Therapy, a succession plan for client files. This plan shall contain:

- (i) An agreement with another health professional or fellow RMT in good standing with MTAS, or another person acceptable to the MTAS office, as guardian of the files.
- (ii) An outline as to how the client files will be destroyed according to the legal requirements for medical health records in the province of Saskatchewan.

Files: for the purposes of this document “a file” includes information that is written, photographed, recorded or stored in any manner, but does not include computer programs or other mechanisms that produce files. A file includes paper, microfilm, electronic and other formats of recording and storing information.

Health Professionals: these health professionals may be designated as guardians of client files:

- Chiropractors
- Dentists
- Dietitians
- Licensed Practical Nurses
- Medical Lab. Technologists
- Medical Radiation Technologists
- Midwives
- Naturopathic Physicians
- Nurses or Psychiatric Nurses
- Occupational Therapists
- Optometrists
- Paramedics
- Pharmacists
- Physicians
- Physical Therapists
- Podiatrists
- Psychologists
- Speech-language Pathologists and Audiologists

File Destruction

A. Paper records need to be destroyed to a degree that they cannot be recreated. Methods include:

- Crosscut shredding NOT strip shredding. The shredded material can then be recycled. (Confidential shredding services are available to shred large quantities of files - this may be done either on site or off.)
- Burning to a white ash with no partially burned pieces remaining.
- Pulping or pulverizing.

It is recommended that if a professional shredding service is used, the file guardian contract the destruction of records to a company that specializes in secure document destruction so that appropriate chain of custody is maintained. e.g. - Iron Mountain, Shred-it, Cosmo Shred, The UPS Store.

B. Electronic records must be permanently deleted from all hard drives, as well as other storage mechanisms. Hard drives must either be crushed or wiped clean with a commercial disk wiping utility. Similarly, any back-up copies of records must be destroyed when the original records are destroyed.



Custodian Agreement for Client Files

If a therapist dies, the estate trustee of the therapist is deemed to be the custodian of the records until guardianship and control of the records passes to another person who is authorized to hold them. Where uncertainty arises over responsibilities with regard to the files of a deceased therapist, we suggest seeking legal advice.

Where a therapist ceases to practice and is not transferring records to another massage therapist, the therapist or his/her representative must notify each client that their file will only be held for two years and should suggest that clients collect a copy of their file or request a transfer to another massage therapist before this two-year period expires. Notification of clients should take place by way of direct communication with each client at a scheduled appointment or through a letter or phone call, or in some other way that ensures that clients will receive notice. In all other situations, the rule requiring file maintenance for a minimum of 10 years will apply.

File transfer arrangements for: _____
(print MTAS member massage therapist full name)

MTAS membership number: _____

Contact details for the person designated as guardian of the above member's client files:

Full name: _____

Professional designation of the above guardian **OR** relationship of the guardian to the massage therapist if the guardian is a family member:

Physical address where files will be stored:

Daytime telephone # of the guardian: _____

E-mail address of the guardian: _____

Plan for destruction of client files:

When: 2 years post-mortem

Method: Shred [☐] Burn to white ash [☐] Pulp [☐] Other – please specify [☐]

By whom (usually the guardian): _____

Note that while we do not need to see them, your written instructions to the file guardian should include the following:

- The clients' right of access to the records;
- The length of time for which the records must be retained; and
- Their obligation to protect the confidentiality of the records.

Signature of therapist: _____ Date: _____