



Summary

Objective

This process is used to manage a situation where it has been identified that a provider has treated colleagues. If this process is not suitable for the situation, please discuss how to address this with your manager.

Background

ACC agrees with the Medical Council of New Zealand's statement on providing care to yourself and those close to you which defines "close to you" as "any other individuals who have a close relationship with you whether familial or not, where the relationship is of such nature that it could reasonably be expected to affect your professional and objective judgement".

The Physiotherapy Board of NZ recently published its revised Professional Standards and code of ethics where the term "work colleagues" has been added to the definition of "those close to you" in their Standard for the treatment of Whanau, family members and others close to you".

The Nursing Council has published guidelines on Professional Boundaries and includes a statement on pre-existing relationships with neighbours, acquaintances of business associates.

ACC generally considers it unacceptable and unethical for providers to claim payments from ACC for treating those who are close to them except in exceptional circumstances. A position statement was created in 2018 to guide providers around treatment of colleagues.

Owner

[Name Withheld]

Expert

Procedure

1.0 Discuss issue with provider

Engagement and Performance Manager, Performance Monitoring Advisor

- a Send "PSD 12 treating colleagues" letter to provider, asking them to provide documentation that the considerations for treating colleagues have been met as per ACC's position statement and await response.



PSD12 Treating colleagues



Position Statement - Treatment of Colleagues

<https://www.acc.co.nz/assets/provider/Position-Statement-Treatment-of-colleagues.pdf>

2.0 Consider circumstances

Engagement and Performance Manager, Performance Monitoring Advisor

NOTE Is there documentation to show that these considerations have been met?

- There was sufficient professional separation to ensure that professional judgements were not impaired that could have impacted on diagnosis and treatment?
- The client would feel they could easily share personal information relevant to their health, change provider, or make a complaint if necessary as a client
- There were no power imbalances that could affect the client's rights
- There were no financial drivers for continuing the therapeutic relationship that could cloud clinical judgement
- The protection of the client's personal health information can be assured

If Yes - end process

If No - continue to activity 3

If Unsure - consider asking for more information or request clinical advice to review clinical records

PROCESS P&I - Request clinical advice

3.0 Consider risk

Engagement and Performance Manager, Performance Monitoring Advisor

- a Consider potential risk of harm and the information required for a referral for a decision from PRG.

NOTE Is the provider from a regulated profession under the Health Practitioners Competence Assurance Act 2003? *
Chiropractors * Dentists * Dietitians * Medical Practitioners * Nurses and Midwives * Occupational Therapists * Optometrists and Dispensing Opticians * Osteopaths * Pharmacists * Physiotherapists * Podiatrists * Psychologists * Psychotherapists

Yes - refer to PRG

PROCESS PSD - Refer issue to Provider Remedies Group (PRG)

NOTE What if the provider is not from a regulated profession

Obtain consent from the provider to refer to their professional body, then refer to the Provider Remedies Group.

If the provider refuses to consent, discuss with Legal services whether a notification under a Privacy Act exemption could be made to the regulatory authority.

PROCESS PSD - Refer issue to Provider Remedies Group (PRG)

- b** Consider whether an overpayment needs to be recovered

NOTE If an overpayment has occurred

PROCESS Manage a Provider Overpayment

- c** Set a 6-12 month reminder to review the issue (step 4) and identify whether expected changes in practise have been made

4.0 Review issue

Engagement and Performance Manager, Performance Monitoring Advisor

- a** Email a request to Integrity Services (Integrity.Insights@acc.co.nz) for an new insight report. Include the following information:

- Provide ACC ID:
- Provider name:
- Originally flagged in (e.g. Physio PIR 2018):
- Description of original findings (e.g. Provider admitted treating colleagues over 6 month period. Provider has been made aware of ACC expectations)
- Required by: (date)

- b** Review the new insight report

NOTE Has the issue been resolved

Yes - end the process

No - refer issue to PRG and consider overpayment

PROCESS PSD - Refer issue to Provider Remedies Group (PRG)