

# CHART and RECORD RETENTION

The Nova Scotia College of Physiotherapists issues Advisory Statements to provide guidance to members on practice issues. This Advisory addresses the new changes in Chart and Record Retention requirements for physiotherapists.

## **Background**

The Nova Scotia College of Physiotherapists standard for Chart Retention in our Registration Regulations (**made under Section 6 of the *Physiotherapy Act S.N.S. 1998, c. 22***) was no less than six (6) years. (Professional Standards clause#49(2)).

The province introduced new legislation called *The Limitation of Actions Act* (or *Statute of Limitations*). This legislation was proclaimed May 11, 2015 to and **came into effect on September 1, 2015**. This new legislation sets the new limit for bringing a claim forward at fifteen (15) years and defines a minor as being under the age of nineteen.

## **What does this mean for physiotherapists?**

This means that NSCP members will now be required to retain records for a minimum of fifteen (15) years in the case of clients started after September 1, 2015, or for clients who had not been discharged prior to September 1, 2015.

In the case of an individual under the age of 19, the fifteen year period starts after they reach the age of majority (in this legislation that is 19 years of age). In other words, you save the record for the time leading up to the age of 19 and then for fifteen years after that.

The previous retention rule of “no less than 6 years” will apply to clients discharged prior to September 1, 2015.

Records can be written, printed, or photographed and stored in file cabinets, boxes or electronically, and maybe located onsite or offsite.

## **Definitions**

Claim - a claim to remedy an injury, loss or damage that occurred as a result of an act or omission. (*Ref. 2014, c. 22, s. 2(b) of the Limitations of Actions Act*)

Record – all client information in any form or in any medium, whether in written, printed, photographic, electronic form or otherwise.