


Therapeutic Communication for HCA

Chapter 12: Legal Matters


Therapeutic Communication for Health Care Administrators


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Learning Objectives

- Explore professional accountability influencing the role of the Health Care Administrator
- Recognize the importance of professional boundaries in the therapeutic relationship
- Explain legal matters within the context of health care and communications
- Explore the link between patient/client safety and effective communication

Introduction

Legal issues arising in the health care environment can often be attributed to poor communication management leading to undesirable outcomes.

This chapter focuses on:

- Legal matters relevant to the health care environment
- Considerations involving the role of the HCA.

Confidentiality

- **Sensitive** information is often exchanged in the therapeutic relationship.
- The role of the HCA encompasses a **custodian** like approach to guard information and protect data.
- Consider the importance of trust in the therapeutic relationship. A client will **trust** the HCA will keep their PHI safe.

Personal Information Protection and Electronic Documents Act (PIPEDA) and Privacy Act

- PIPEDA largely encompasses how businesses handle personal information.
- Personal information is data that can identify you as an individual on its own or combined with other pieces.

Circle of Care Model

- The group of healthcare providers treating a patient who **share information** to provide that care.
- Involving others outside the circle of care is considered a direct violation of this care model and can be considered a privacy **breach** of information.

Health Privacy Breach

- A privacy breach occurs when **PHI** (Personal Health information) is collected, used or disclosed without authorization.
- Strategies helping to prevent a breach can include:
 - Protect documents and files.
 - Return files as soon as possible to their storage system.
 - Care conferences should be held away from others not involved in the client care.
 - Develop a response mechanism to address any data loss if it occurs.

Scope of Practice and Health Care Administrators

- HCAs may be assigned tasks that involve **controlled acts** under the health care provider (HCP) supervision.
- HCAs are not regulated professionals = should **follow** the policy set by the regulated HCP.
- Important! HCAs should be aware of their **scope of practice**.

Professional Intimacy and Boundaries of Therapeutic Relationships

- Professional **boundaries** are essential in identifying parameters of the therapeutic relationship.
- When a patient discloses their personal information to a HCA is an example of professional **intimacy**.

Policies and Protocols

- An HCA should be informed of the **organizational policies** governing their actions to ensure compliance and alignment.
- Protocols in health care are described as a set of instructions or **guidelines** to follow surrounding client care.

Client Safety

- Client safety refers to taking the steps necessary to prevent client **harm** during the process of accessing health care and services.
- Ensuring client safety falls to **all members** of the health care team.

Summary

In this chapter you have:

- Explored relevant legal matters within the context of health care.
- Reviewed the role of the HCA in connection to operating within their scope of practice following the policies and procedures set out
- Recognized the importance of establishing professional boundaries while communicating in a therapeutic manner was emphasized throughout the chapter content.
- Explored the link between patient safety and effective communication