

# Guidelines for Self-Employed Dietitians

## Introduction

Increasingly, dietitians are working in a self-employed capacity. Dietitians can be found working in a private practice setting, as part of medical or multidisciplinary clinics, private consulting, or in business (e.g. project management). The purpose of this guideline is to provide regulated members with information, support and guidance so that those who work in a self-employed capacity practice in a competent, safe and ethical manner.

## Accountabilities

- Dietitians working in a self-employed capacity are accountable to ensure that both their dietetics and business practices are ethical and consistent with the expectations of the profession and the public.
- Dietitians in every practice setting are accountable for their actions and inactions at all times.
- Dietitians working in a self-employed capacity are expected to practice to the same standard as dietitians who are employees (e.g. in accordance with the nutrition care process and documenting as one would as an employee).
- Dietitians working in a self-employed capacity should work collaboratively with clients and other health care providers to provide comprehensive care and services.

## Legislation and Regulatory Requirements

### **What are the legislative and regulatory requirements for working in a self-employed capacity?**

Regardless of your area of practice, you are obligated to protect clients, the public, and the profession by upholding the [Professional Standards](#), [Code of Ethics for Registered Dietitians](#), provincial and federal legislation as well as [Practice Directions](#).

Although the [Code of Ethics](#) applies to all dietitians, dietitians working in a self-employed capacity, must be familiar with section 7.0 of the Code: *Dietitian as Business Person*.

It is important to note that your professional obligations remain the same, regardless of the size of the practice/business i.e. occasional client or sole source of employment.

## Skills and Experience

### **Do I need specific skills to work in a self-employed capacity, such as private practice?**

Dietitians working in a self-employed capacity may be faced with a broad scope of issues requiring knowledge, skills and experience beyond entry to practice expectations. Solid clinical nutrition experience, strong business aptitude, effective organizational, financial and record keeping skills, and exceptional communication skills are required.

### **How much experience do I need to start my own private practice?**

The knowledge and skills required to work in private practice are often beyond those that can be attained through the completion of an undergraduate degree in nutrition and internship (practicum). Although the College of Dietitians of Manitoba (CDM) does not have specific requirements for entering into private practice, it is advised that dietitians have extensive experience before practicing independently. Ideally, you should have a minimum of 3-5 years of experience working in dietetics.

### **Can Graduate Dietitians work in private practice?**

Graduate dietitians may not practice as a private practitioner, unless working under the mentorship of a registered dietitian in good standing with CDM.

A [Mentorship Agreement for Graduate Dietitians in Private Practice](#) must be completed and signed by both the graduate dietitian and registered dietitian mentor and forwarded to the College, prior to providing care to any clients in a private practice setting.

Graduate dietitians must advise their clients to confirm coverage with their insurance provider. Some third-party insurance companies may not provide reimbursement for nutrition care provided by Graduate Dietitians.

### **Are there supports available to me if I work in a self-employed capacity?**

One of the drawbacks of working a self-employed capacity is that it can be very isolating. There may not be a colleague nearby to ask questions, review a case or discuss ideas. For this reason, it is important for dietitians in private practice to have strong support networks and seek connections with other dietitians and health care providers.

### **What should I do if approached by a client whose needs are outside of my personal level of competence?**

As a dietitian, you are responsible and accountable for your personal competence in practice and are required to only practice within your personal level of competence. As you grow your business, it may be tempting to accept every client who seeks your services. As a member of a self-regulated profession, you are responsible for evaluating the scope of your knowledge, skills and experience. If you do not have the personal competence to assist a client, you are obligated to be honest with the client, explain that this is an area outside of your expertise and refer to another practitioner, who is qualified in the practice area. Even after many years of working in a self-employed capacity, it is important that you recognize that you may not have established the personal competence to provide care to every client who seeks your services.

## **Business Practices**

### **How do I start a business?**

When starting a business, there are countless matters to consider. It is your responsibility to be informed about acceptable business practices, including legal and financial requirements. It is recommended that you obtain legal and financial advice before starting your business. In addition, there are a number of

helpful resources that provide guidance including the [Consulting Dietitians Network](#) of Dietitians of Canada's manual entitled "[Dietitians in Private Practice: A Guide for the Consultant](#)", which can be obtained for a fee, by contacting the network.

### **Are there best practices for dietitians working in private practice?**

Yes. The Consulting Dietitians Network of Dietitians of Canada has created a document that outlines best business practices for dietitians working in private practice. The resource can be accessed free of charge by contacting the [Consulting Dietitians Network](#).

### **Outside of the best practices, am I required to have specific policies and procedures in place?**

Yes. Policies are important in any business as they help you to remain consistent and protect both you and your clients. Policies and procedures should be in keeping with both provincial and federal legislation as well as [CDM practice directions](#).

[The Personal Health Information Act](#) (PHIA) requires all health information trustees to be familiar with PHIA and to develop policies and procedures as required by the Act. Information and [resources for health professionals](#), including [online training](#), are available.

## Documentation and Records Retention

### **What sort of documentation am I required to keep as a private practitioner?**

Prior to providing any service for an individual, you must obtain documented informed consent. Clients must be provided with a complete and objective explanation of the nature and scope of the problem, scope of recommended services as well as expected benefits, risks and alternatives. Consent must relate directly to the intended service (which includes fees, services and/or billing practices), be based on full disclosure of the likely risks and benefits and be given voluntarily.

Documentation must be kept for all clients receiving nutrition care, with the exception of clients that are receiving public education at community presentations, public speaking events, workshops, supermarket tours, etc. However, if individual education is provided within the group setting. i.e. a weight management program that includes one-on-one sessions with the dietitian, documentation would be required. Documentation obligations may also be specified within program policies/requirements.

Further information can be found in CDM Practice Direction: [Documentation and Records Retention](#)

### **What type of documentation do I need to keep for dietetic counselling provided virtually?**

There is no difference in documentation requirements whether care is provided in person, via telephone or over the internet. The same professional obligations exist. Documentation must be kept for all clients receiving nutrition care.

### **How long do I have to keep records on my clients?**

Health records must be retained for a minimum of 10 years from the date of the last entry. Health records for pediatric clients should be retained for a minimum of 10 years and 2 years past the date the client becomes 18 years old.

### **Why do I have to appoint a custodian for my client's health records?**

You are required to have an arrangement in place to ensure that your client records are not abandoned or at risk of being abandoned. If you are unable to provide access, records must be made available through a custodian, who is a regulated health professional. Arrangements must be in place for both planned and unplanned closure of a practice. Please contact the College for a form which must be completed, indicating the name and contact number of your custodian.

Further information can be found in the practice directions [Storage Requirements for Planned and Unplanned Closure of Practice](#) and [Responsibilities of a Custodian of Health Records](#)

### **What if I use an electronic record keeping system?**

Where health records are held in electronic records systems, dietitians must provide the current username and password to their custodian.

## Liability Insurance

### **What kind of insurance do I need to work in private practice?**

In Manitoba, all dietitians engaged in the practice of dietetics are required to carry professional liability insurance in the amount of \$5,000,000. The College is aware of two organizations which offer liability insurance to dietitians; [Dietitians of Canada](#) and [MyGroup Insurance Brokers](#).

If you are considering establishing a private practice business, you should consult an insurance professional for advice on any additional insurance requirements i.e. Commercial Liability Insurance, Disability Insurance.

### **I work part time at the local hospital and am considering doing private practice "on the side". I have liability insurance through the hospital. Do I need anything else?**

Verify the parameters of your coverage with your employer. Employer provided insurance is unlikely to cover dietitians for activities they engage in outside of their employment.

Further information can be found in CDM Practice Direction: [Liability Insurance](#)

## Fees

### **Can the College give me direction regarding fees to charge for services?**

Your fees must be fair, reasonable and proportionate to the services rendered. You must also inform your clients of all fees and available methods of payment prior to providing service.

[The Regulated Health Professions Act](#) stipulates that the College must not set professional fees, provide guidelines for professional fees or negotiate professional fees on behalf of any or all of its members.

Guidance for determining fees is available from the [Consulting Dietitians Network](#) of Dietitians of Canada.

### **I really don't make a lot of money in my business; do I need to claim it?**

Absolutely. No matter how much or how little income you make in a self-employed capacity, you are required to claim it. For more information on claiming self-employed income, refer to the Canada Revenue Agency.

## Boundaries of Therapeutic Relationships

### **Can I provide counselling to members of my family?**

It is generally not appropriate for you to provide care to family, friends or acquaintances, due to the differences between a professional and non-professional relationship as well as the inherent conflict of interest. Family, friends and acquaintances should be referred to another practitioner. This presents a challenge if you are located in a rural community or if you are the only practitioner for a specific area of practice. Where no other options are available, this situation must be managed by:

- disclosing the relationship to employers, the client's health insurance providers and relevant others, where there may be a conflict of interest
- being aware of the potential for difficulties in maintaining professional boundaries between personal and professional relationships
- taking steps to manage professional boundaries and ensure the client's needs come first in the professional relationship
- assuring clients that information obtained in the course of providing care will remain confidential, even after the professional relationship ceases
- Dietitians shall not charge fees for providing dietetic services to immediate family members
- EXCEPTION: Where no other registered dietitian, with the specific skills required, is available in the community, a fee may be charged.

Further information can be found in CDM Practice Direction: [Boundaries of Therapeutic Relationships](#)

## Virtual Practice

### **Can I provide counselling over the internet?**

If you are planning to provide dietetic services virtually, where your client is located in another province, you must check with the dietetic regulatory body in the client's jurisdiction to determine if registration is required.

Your professional obligations are the same for services delivered in person, or via technology.

Please refer to CDM Practice Direction [Virtual Practice](#) as well as the [Telepractice Guidance Document](#) for further information.

## Acknowledgements

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## References

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