



## *Council Policy<sup>1</sup>: Closed Practice Record Retention Guidelines*

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### **Explanation**

The issue of a client's right of access to the information contained in the records of an active practice and the obligations of the designated registrant (DR) for a practice facility to provide for the exercise of that right of access is addressed in the CVBC bylaws, Part 4 – Ethics and Standards, 4.5 Medical Records, s. 248, Disclosure of information.

The obligation to provide access with respect to the records of a temporarily or permanently closed practice, soon-to-be-closed practice, or the practice of a recently deceased registrant is not prescribed in the bylaws. However, the bylaws, s. 246 (2), Record retention guidelines requires Council to approve a 'record retention guidelines' to deal with the closure or pending closure of a practice. The following 'Record Retention Guidelines' has been approved by Council on May 7, 2016:

1. Generally speaking, but subject to this policy of Council, the client's and successor veterinarian's timely right of access to information in the records of a closed practice or pending closure should be exercisable under the conditions that apply to records of active practices.
2. The DR for either a registrant-owned practice or a non-registrant owned practice is to have a written procedure in place to address subsection 3 for review by the Practice Inspector or Practice Facility Accreditation Committee upon any inspection of the practice or facility that would permit clients of the practice and successor veterinarians to obtain within 10 working days or less copies of the information in the medical records in the event that the practice closes on a temporary or permanent basis for any reason. In the event of an anticipated practice closure, the DR must at least two (2) months before the anticipated date of closure take reasonable steps to initiate the procedures outlined under subsection 3.
3. The procedure used to permit clients and successor veterinarians access to medical records including identification records such as for tattoos or microchips must:
  - a. include a method of providing notice to all clients that the practice has closed or will close (e.g. newspaper notification, direct contact). The notice must include

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<sup>1</sup> Approved by Council on May 7, 2016

clear instructions regarding how clients and successor veterinarians can obtain copies of the practice medical records;

- b. respond within 10 working days or less depending on whether there is an ongoing medical condition. With respect to patients with ongoing or urgent medical care needs, the DR must use their best efforts to provide a copy to the client or to any person identified by the client of all information that is necessary and reasonable in order to enable the effective ongoing care of the animal, prior to the closure of the practice;
  - c. explain the method of delivery to the client or to the successor veterinarian, which may include:
    - i. providing a copy of the record to the client;
    - ii. providing the actual record to the client or to the successor veterinarian upon authorization from the Practice Facility Accreditation Committee when there is no other practice facility willing to take over the client records; or,
    - iii. transferring the records to a secure storage area/facility with a responsible person designated by the DR to allow the client and successor veterinarian with reasonable access to the records; and,
  - d. notify the CVBC of the location of the medical records through submission of the attached 'Medical Record Location Form'.
4. The bylaws, Part 4 – Ethics and Standards, s. 251 (1), Fees states a registrant may charge a client a fee for the reasonable costs incurred in creating a copy of a medical record.