




# Establishing a Physiotherapy Practice






College of  
Physiotherapists of  
Manitoba



Current as of November 2024


This chart provides physiotherapists/physical therapists guidance in meeting their professional obligations when starting a physiotherapy/physical therapy practice. While the list does not reflect every consideration it does provide a starting point.



| You will want to consider....   | College Resources<br>(Reference Guide or CPM website unless otherwise specified)  | Other Possible Resources   |
|---|---|--|
| <p><b>Privacy</b> </p> <ul style="list-style-type: none"> <li>✓ Review the <i>Personal Health Information Act</i> (PHIA) and understand how it will impact your practice</li> <li>✓ Know who the trustee<sup>1</sup> of the Health Record is in your business</li> <li>✓ Learn the difference between personal information and personal health information and how this relates to your business</li> <li>✓ Review and understand the requirements for collecting, storing, and disclosing personal health information and personal information</li> <li>✓ Determine how you will release personal health information and personal information, when requested</li> <li>✓ Ensure that all staff are aware of the confidentiality and privacy policies.</li> <li>✓ Have a plan in place in the event of a privacy breach</li> </ul> | <p><b>PHIA Information (Poster, Brochure):</b></p> <p>Private clinics including home based, mobile and virtual clinics must consider how to make this information readily available</p> <p><b>CPM Resource regarding Privacy Breaches</b><br/> <a href="#">Privacy Breach Resource and Guideline</a></p> <p><b>Practice Directions and Resources:</b></p> <ul style="list-style-type: none"> <li>• Communication</li> <li>• Privacy and Record Retention</li> <li>• Transportation of Patient Records Resource</li> </ul> | <p><b>Access the Government of Manitoba website for the following information:</b></p> <ul style="list-style-type: none"> <li>• <i>Personal Health Information Act</i> (PHIA)</li> <li>• <i>Personal Information Protection and Electronic Documents Act</i> (PIPEDA) amendment <i>Digital Privacy Act 2015</i></li> <li>• PHIA online training program</li> </ul> <p><b>Access the Manitoba Ombudsman website:</b></p> <ul style="list-style-type: none"> <li>• Access and Privacy Division</li> <li>• PHIA</li> <li>• PHIA Practice Notes and Guideline page – Disclosure under The Personal Health Information Act (PHIA)</li> <li>• Privacy Breach Resources page</li> </ul> <p><b>Access the Office of the Privacy Commissioner of Canada</b></p> <ul style="list-style-type: none"> <li>• <i>Personal Information Protection and Electronic Documents Act</i> (PIPEDA)</li> <li>• <i>Anti-spam legislation and consent to collect electronic addresses.</i></li> </ul> <p><a href="https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/p_principle/">https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/p_principle/</a></p> <p>Accessed October 2024</p> |

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| <p><b>Business Naming:</b> </p> <ul style="list-style-type: none"> <li>✓ <b>CPM Approval of Business Names, Logos and related documents</b></li> <li>✓ <b>Opening satellites clinics or expanded locations - notify the College</b></li> <li>✓ <b>Ensure that everything is approved in time to open your doors.</b></li> </ul>   | <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Approval of Physiotherapy Business Name</li> </ul>  | <p>Entrepreneurship Manitoba - Companies Office</p>   |
| <p><b>Business Practices:</b> </p> <ul style="list-style-type: none"> <li>✓ <b>Obtain liability Insurance for self and the clinic</b></li> <li>✓ <b>Consider the kinds of patients you treat and whether you have the needed competencies</b></li> <li>✓ <b>Avoid business arrangements that are a potential, perceived, or actual conflict of interest (i.e., referral for profit)</b></li> <li>✓ <b>Review Practice Direction on Incorporation</b></li> </ul> <p><b>Financial Considerations:</b></p> <ul style="list-style-type: none"> <li>✓ <b>Set and post a fee schedule</b></li> <li>✓ <b>Decide what payment systems will be accepted and understand your obligations</b></li> </ul> | <p><b>Practice Directions and Resources:</b></p> <ul style="list-style-type: none"> <li>• Advertising and Marketing</li> <li>• Assessment, Diagnosis and Treatment</li> <li>• Documentation</li> <li>• Conflict of Interest</li> <li>• Dual Practice</li> <li>• Communication</li> <li>• Physiotherapists Working for Non-Physiotherapists</li> <li>• Titles, Credentials and Specialty Designations</li> <li>• Incorporation</li> <li>• Funding, Fees and Billing</li> <li>• Evidence Informed Practice</li> <li>• Transportation of Patient Records Resource</li> </ul> | <p>Contact your liability insurance provider</p> <p>Access the Minister of Health, Seniors and Long-Term Care website</p> <p>Manitoba Physiotherapy Association (MPA)</p> <p>Canadian Physiotherapy Association (CPA)</p> <p>Manitoba Human Rights Commission (MHRC)</p> <p>The Workplace Safety and Health Branch of the Manitoba Government</p> <p>Workers Compensation Board of Manitoba (WCB)</p> <p>Insurance Bureau of Canada (IBC)</p> <p>Veterans Affairs Canada (VAC)</p> <p>Consult an accountant or lawyer</p> |

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|--|--|---|
| <ul style="list-style-type: none"> <li>✓ <b>Ensure physiotherapy staff understand how their name, title, and registration number will be used and by whom</b></li> <li>✓ <b>Ensure the physiotherapy staff regularly monitor their billing</b></li> <li>✓ <b>Plan a method to regularly audit the financial records</b></li> </ul> <p><b>Social Media and Advertising Considerations:</b> </p> <ul style="list-style-type: none"> <li>✓ <b>Ensure marketing material (advertisements) meet the College Standard</b></li> <li>✓ <b>Monitor your social media presence</b></li> </ul> | <p><b>Continuing Competency Program</b></p> <p><b>Guidelines:</b></p> <ul style="list-style-type: none"> <li>• Use of Social Media</li> </ul> <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Advertising and Marketing</li> <li>• Communication</li> </ul> <p><b><i>Pause Before You Post: Social Media Awareness</i></b></p> <p>(College Selected Activity in 2022 – access through the <a href="#">Professional Development and Committee Portal</a>)</p> | <p>Advertising Standards Canada (ASC)</p> |

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|--|--|---|
| <p><b>Physical Work Environment/Safety:</b> </p> <ul style="list-style-type: none"> <li>✓ Consider patient safety when setting up the work place</li> <li>✓ Consider how will you ensure your facilities are accessible</li> <li>✓ Ensure there are areas that allow privacy (sound and visual)</li> <li>✓ Develop a method to track and record equipment maintenance</li> <li>✓ Plan for possible emergencies and document protocols</li> <li>✓ Determine if you will have any hazardous materials in your practice for use or disposal (e.g., soiled linens, sharps)</li> <li>✓ Consider safety when working alone with the public</li> <li>✓ Obtain liability insurance for the clinic.</li> </ul> | <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Internal Pelvic Interventions</li> <li>• Acupuncture and Dry Needle Therapy</li> <li>• Risk Management and Safety <ul style="list-style-type: none"> <li>• Patient Safety Incident Resource</li> </ul> </li> <li>• Assessment, Diagnosis and Treatment</li> <li>• Boundary Violations</li> <li>• Sexual Abuse and Sexual Misconduct</li> </ul> <p><b>Guidelines:</b></p> <ul style="list-style-type: none"> <li>• Cold and Flu Season</li> </ul> <p>Physiotherapists Regulation, Schedule A Standards of Practice (8) Electrical Equipment and (9) Radiation Emitting Devices</p> <p>Physiotherapists Regulation, Liability and Protections Standards, (18) Liability protection</p> <p>Core Standards of Practice for Physiotherapists in Canada (2020)</p> <p>Competency Profile for Physiotherapists in Canada (2017)</p> | <p><i>The Accessibility for Manitobans Act</i></p> <p>Health Canada—Workplace Hazardous Materials Information System (WHMIS)</p> <p>Manitoba Institute for Patient Safety</p> <p>Safe Work Manitoba</p> |
| <p><b>Infection Control:</b> </p> <ul style="list-style-type: none"> <li>✓ Locate and monitor government websites and resources to stay current on infection control practices</li> <li>✓ Determine a process to monitor your infection control procedures</li> <li>✓ Plan for disposal of garbage and waste materials (e.g., acupuncture needles)</li> </ul>   | <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Infection Control</li> <li>• Risk Management and Safety</li> </ul>   | <p><b>Access the Government of Manitoba website – Resources</b></p> <p>Routine Practices and Additional Precautions: Preventing the Transmission of Infection in Health Care.pdf</p>                    |

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|--|---|--|
| <p><b>Documentation:</b> </p> <ul style="list-style-type: none"> <li>✓ <b>Review and understand requirements for maintaining patient records, financial records, and equipment maintenance records (including retention periods)</b></li> <li>✓ <b>Ensure methods of record keeping (paper or electronic) meet privacy expectations</b></li> <li>✓ <b>Understand how electronic records are made secure</b></li> <li>✓ <b>Decide how you will document for release of information</b></li> <li>✓ <b>Determine how patients will be informed about how their information will be managed on their behalf and how they can access their record</b></li> <li>✓ <b>Review and understand the Manitoba Ombudsman’s requirements for collecting, using and disclosing personal health information</b></li> <li>✓ <b>Review and understand the importance of relevant legal and professional obligations while considering implementing AI in their practice.</b></li> </ul> | <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Privacy and Record Retention</li> <li>• Documentation</li> <li>• Client Record When Moving/Selling a Clinic</li> </ul> <p>Documentation Reference</p> <p>Physiotherapists Regulation Schedule A Standards of Practice (Section 19) 1-13</p> <p><b>Guidelines:</b></p> <p>Guideline for Physiotherapists on the Responsible Use of AI in Clinical Practice</p> | <p>Manitoba Ombudsman’s Office website (Privacy Division)</p> <p><i>Personal Health Information Act (PHIA)</i></p> <p><i>Freedom of Information and Protection of Privacy Act (FIPPA)</i></p> <p><i>Personal Information Protection and Electronic Documents Act (PIPEDA) and amendment Digital Privacy Act 2015</i></p> <p>Workers Compensation Board of Manitoba – resources for Health Care Workers<br/> <a href="https://www.wcb.mb.ca/health-care">https://www.wcb.mb.ca/health-care</a><br/>         Accessed October 2024</p> |

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| <p><b>Personnel:</b></p> <p><b>Physiotherapy</b> </p> <p><b>Assistant/Rehabilitation Assistant:</b></p> <ul style="list-style-type: none"> <li>✓ Determine how to assign treatment appropriately and to ensure adequate supervision</li> <li>✓ Determine how you will evaluate competency of the support personnel</li> <li>✓ Develop a communication plan</li> </ul> <p><b>Additional Personnel:</b></p> <ul style="list-style-type: none"> <li>✓ Establish roles and responsibilities of staff and consider the training requirements for each role</li> <li>✓ Review the management of patient safety incident plans with staff</li> </ul> | <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Physiotherapists Assigning Physiotherapy Care (Working with Rehabilitation Assistants)</li> <li>• Communication</li> <li>• Boundary Violations</li> <li>• Risk Management and Safety <ul style="list-style-type: none"> <li>• Patient Safety Incident Resource</li> </ul> </li> </ul> <p><b>Guidelines:</b></p> <ul style="list-style-type: none"> <li>• Interprofessional Learning or Job Shadowing Experiences</li> </ul> | <p><i>Essential Competencies for Physiotherapy Assistants in Canada 2012</i></p>  |
| <p><b>Other Considerations:</b> </p> <ul style="list-style-type: none"> <li>✓ Legal Information (employee contracts, leases, purchasing an existing practice)</li> <li>✓ Business tax concerns</li> <li>✓ Selecting space for your practice</li> <li>✓ Consider possible referral options for patients with additional needs</li> <li>✓ Establish collaborative relationships</li> <li>✓ Employee or Individual extended health benefits packages</li> </ul>  | <p><b>Practice Directions:</b></p> <ul style="list-style-type: none"> <li>• Communication</li> <li>• Incorporation</li> <li>• Interprofessional Collaborative Care</li> </ul>   | <p><i>The Apology Act (Manitoba)</i></p> <p>The Law Society of Manitoba to search for a lawyer</p> <p>MPA</p> <p>CPA</p> <p>Consult an Accountant</p> <p>Canadian Revenue Agency (CRA)</p> <p>Check community by-laws</p> <p>Discuss with a real-estate agent</p> |

| You will want to consider....   | College Resources | Other Possible Resources  |
|---|-------------------|---|
| <p>✓ <b>General information about starting a small business in Manitoba, e.g.</b></p> <ul style="list-style-type: none"> <li>• <b>writing a business plan</b></li> <li>• <b>buying an established business</b></li> <li>• <b>Incorporation – understand the limitation under the current <i>Physiotherapists Act</i></b></li> </ul> |                   | <p>Government of Manitoba website: Starting a business</p> <p>Government of Manitoba Employment Standards</p> <p>Entrepreneurship Manitoba - Companies Office</p> |
| <p><b>Please note: All these considerations apply to Home-Based Physiotherapy Clinics and Mobile Physiotherapy Clinics. There are special considerations regarding the physiotherapist’s own personal safety, patient safety and infection control to consider when working in a home environment.</b></p>                          |                   |   |

**1 Who falls under PHIA?** PHIA applies to trustees who maintain (have custody or control of) personal health information. Trustees are:

- all public bodies that fall under FIPPA
- health professionals licensed or registered to provide health care or health professionals (such as doctors, nurses, physiotherapists, psychologists, etc.);
- health care facilities (such as hospitals, personal care homes, psychiatric facilities, medical clinics, laboratories, the Manitoba Cancer Treatment and Research Foundation, and community health centers or other health care facilities designated in the regulations)
- health services agencies providing health care under an agreement with another trustee (such as the Victorian Order of Nurses and We Care).

[www.ombudsman.mb.ca/faqs/phia-frequently-asked-questions.html](http://www.ombudsman.mb.ca/faqs/phia-frequently-asked-questions.html)  
(Accessed October 2024)

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