

the VOICE



Volume 10, Issue 4

2020 seems to just beg for reflection — with a clear vision for the future.

When we decided to take a look back at the history of CANNP, we found a long list of projects that we started — some were super successful; some morphed into a better version; and some we just let go, with the notion that we tried! It was an interesting exercise — perhaps one you should consider doing for your company. It encourages perspective. It helps to clarify direction. It is highly educational, and in most instances, very gratifying.

While we encourage practitioners to develop a business plan and review it annually — this 2020 reflection provides a much broader picture.

Reflection is an important part of any business. You want to know what worked and what didn't. You want to get a better grasp of your audience — what they are interested in and how much you can ask of them — much like you want to define a niche or fine tune your approach.

It is a mistake to get too bogged down by the notion of what might work or what you think you should do. It is much better to try something and then hone your approach.

A good example of this are our Power Hour sessions. CANNP brings awesome players from all sorts of helpful professions to enhance our offerings to Members. Frequently these individuals provide very

practical and insightful perspectives. More than that, Power Hours provide a unique opportunity for Members to meet virtually and to interact with the guest as well as one another.

In the beginning when we announced a Power Hour, many Members would just not show up after saying they would. Not because they were uninterested but mostly because something got in the way.

So we revamped the program. Now to save a spot, a \$10 fee is required. The fee is totally refundable if the reserved spot is occupied. Otherwise it is forfeited. This has worked so well for us.

So you see, we had a great germ of an idea, but we were still unfamiliar with our audience. Just tweaking the approach made all the difference. But in order to devise the best experiment, you need to know what has worked and what has not. In this way you learn about offerings within the confines of your audience.

Give it a try! This year of "2020 Hindsight" is the perfect opportunity to improve and grow your practice.

Wendy Gibson, BA, RHN, NNCP
Executive Director, CANNP

Great Tip

Cheques for 2020

Did you think of this?

2020 is an unusual number in that it is two "20's" meaning the shortened form, often used on cheques is "20". This leaves the cheque open and vulnerable to change. Anyone can add a couple of digits to the end making the cheque postdated. So always use 2020 in full on your cheques to be clear.



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Blue Cross Alberta

Some of your clients have coverage with Blue Cross Alberta and your services may be covered. The online health provider website was recently enhanced to include patient memory functionality. When submitting a claim for a returning client, the provider can enter the clients' last and first name to recall details,

To register as a provider with Blue Cross Alberta, log into the Members only area of cannp.ca and go to Professional Members — Insurance.

While you are there ... you also need to register with GreenShield Canada.

These companies, as well as the others that recognize CANNP will be checking with our Membership database to ensure that practitioners are valid NNCP carriers.

Please renew on a timely basis.

Client Statements

In an effort to add clarity to the industry, CANNP is asking Members to add a line to the Client Statements used: I understand that (name) is a not a medical practitioner, naturopath or dietician.

Sending Your Info

When you contact us or make payment using your business name, please also include your Member name and/or NNCP number in your correspondence. This will make matching you to your information much, much easier.

E-transfer Safety

To ensure maximum safety when making an etrans we suggest that you forward your security question to us via email but provide the response on the phone as a message. Simply state your name and the response to your etrans question is X. Better safe than sorry!

Corporate Campaign Update

As you know, one of the keys to get the insurance companies on side is to have Corporations bring on the pressure — making the need known.

We sent out a huge mailing campaign, and followed up with phone calls. However, we need to keep the pressure on. Our next step is to tap into our political contacts and go at it from all angles. Stay tuned for more that you can do! Together, we can make great things happen — we've already proven that!

That Clean Life

There is a new video to show you exactly why That Clean Life for Business is the game-changing nutrition tool you've been looking for. <https://thatcleanlife.com/demo>

Use this link to help the CANNP: <https://partners.thatcleanlife.com/affiliate/>

Graphic Critiques

In August we offered a free critique of a logo and business card and then in Dec. we did the same for a brochure or flyer. We had a great response but what was the best were the comments of gratitude. Members who took advantage of this awesome offer were so appreciative. We love that!

Tickets Everywhere!

Two lucky Members were kind enough to offer their mentoring services in exchange for tickets to the Vancouver Wellness show. Thanks for stepping up!

Also we provided free access tickets to the CHFA West tradeshow. CHFA is one of our favourites so we are so pleased to provide access.

GoodLife Fitness

CANNP Members, with a valid number, are now eligible to register for a GoodLife Corporate Membership. This rate, which increases in March, comes with some impressive perks. Please remember that your GoodLife Membership is tied into your CANNP Membership so renewing on a timely basis is important.

Web Presentations

CANNP has prepared 4 short videos suitable for your website or to share with clients. You can get all four:

Food Therapy — Tips for Digestion
Label Reading
Macro/Micronutrients
Immunity

The administration fee of \$20 helps CANNP keep your fees in check!

You can review the content of each video in the Member Only area, Business Tools.

Professional Members only.

Limited edition posters are also still available. Just ask us — \$50 for all 3.

Please Read

CANNP sends out a weekly eblast and we do our best to share the news succinctly. We are often surprised when Members ask us questions that we have written, about over and over.

Please take 2 minutes to read our messages — the info in there is really important and meant for you!

Please Note

CANNP is pleased to bring you many discounts and opportunities; we encourage you to use your best judgement and discrimination when choosing to participate. We do not endorse programs; we simply make them available to you as a benefit of membership. We appreciate the generosity of all our supporters.

The content of this newsletter is for the purpose of sharing information only. Readers are encouraged to investigate all ideas, products and/or services before committing to them. CANNP will not be held responsible for any adverse consequences resulting from the use of any information in this newsletter.

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Membership Expiry

CANNP is advising that you not let your Membership lapse since many of our benefits and certainly the insurers will be looking at any point for your valid Membership.

To that end, CANNP sends 4 renewal notices — no excuses!

1. At the beginning of the renewal month.
2. In the middle of the renewal month.
3. Approx 1 week to end of month via email.
4. A goodbye letter at expiry.

If you wait until notice 4, there may be an unavoidable lapse in Membership due to required administrative tasks.

Saved by Nutrition Update

Saved by Nutrition is happening and the book will be available sometime in the Spring. It will be filled with true stories from holistic nutritionists — most of us are in the business because nutrition saved us. This is not just a "fly-by-night" project but will be used to woo insurers and government as well as act as a sales tool for you. Michelle Post is spearheading this project and can be contacted directly for more information, guidelines and submissions at michelle@making-strides.ca.

Phishing Emails — It's a Scam

Our incredible team at SeeThrough Web (<https://seethrough-web.com/>) recently sent out a notification about suspicious emails. We are helping to spread the word about these, hoping that no one gets caught by scams that seem real.

Emails which look something like this ...

"We saw what you were looking at online. Send money to a bit-coin account or else we will email all of your contacts with what you did"

The email may look like it is coming from your own email address and to make it extra convincing it may even have one of your passwords in it. Alternatively, an email that appears to come from a company's president, CFO or other executive might be sent with instructions to make a special payment to a person or company.

These are phishing emails. They are not targeted at you — in fact, senders do not know who you are. They send millions of emails and because some people fall for them — submit what is asked or click on links — it makes for a lucrative business.

Lawyer Power

What an unbelievable hour with Glenn Rumbell. Where else can you get free access to a lawyer?

Glenn spent time on business related issues, particularly around privacy in practice. Then he opened the floor to Member questions. — what an opportunity.

Thanks so all those who attended and to Glenn for so generously offering us his valuable time. Summary page 8.

Watch for the next Power Hour!

For Our Newest Members

Want to learn more about CANNP? We have a presentation all about us on the home page of cannp.ca. Click on the picture of the camera and view the PowerPoint presentation. Let us know what you think and share it with your colleagues.

If you are overwhelmed by all that you have to take care of to get off the ground — know that we are here for you. In addition to all that we do on your behalf with insurers and the government, watch for the following:

Insurance - discounted E & O; optional extended health and dental; coverage for those employers that include Nutritional Counselling from Manulife, iA Financial, GreenShield, ClaimSecure and Blue Cross (Alberta) as well as the Sun Life PSP

On-going - Mentoring (when available); *The Voice* newsletter; Podcasts and Inspired Events; Menu Plan template; Chat forum: Power Hours; access to health related shows across the country; discounts on products and services, free giveaways all the time

Time Limited Offers - ABC's of Health; Organize Your Business; CORE 1, 2, 3; Business Card/Logo and Brochure critique; Grocery List; Check list of Healthy Habits; Plate Portion; Colour Your Plate - Talking Produce, logo and brochure critiques and more coming soon.

Fee Based options - Business Plan template; Starter Kit; Newsworthy; TrueView; Presentations for your site; Limited edition posters

More are available all the time — watch for news in your weekly eblast!

CANNP: Then and Now

A look back on what we did and how we got here was a really interesting and constructive experience. With 20/20 hindsight we see we introduced a lot of interesting initiatives — some stuck; some evolved and some went by the wayside.

Tackling the Government

Right out of the gate we attended a protest against Bills 51 and 52 at Queens Park and fought Bill C6. Little did we know that this would just be the beginning of a long list of such encounters. We have met numerous times with Health Canada and the Ministries of Health to discuss our mutual goals. We continue to reach out to the associations of dietitians to find mutual understanding. After discovering a plan to bring a very restrictive Nova Scotia bill into law, we brought it forward and rallied to prevent its advancement. We spearheaded Canadian Action for Nutrition, CAN — a "meeting of the minds" with school heads, associations and other key personnel — no one in our industry had ever taken such a bold step and it was very well received. We also formed the Practice Protection Committee which is comprised of Member representatives from across the country.

The Focus

Initially we decided the best tactic for the field was to put the word out about the good work we do, any way we could. We began with social networking — Facebook, Twitter and a Blog. We took out ads promoting the entire industry and purchased tradeshow booths, securing speaker opportunities for our members. We developed and distributed posters and were on the radio discussing various health issues. We began the "Recognized by CANNP" program at which time CANNP stickers appeared on several Canadian produced supplement products. In short order, we shifted our focus to a more business oriented effort. With that we developed tools for the industry and brought experts to discuss pertinent issues and approaches

Challenges Head On

We implemented the "Insurance Challenge" — a concerted effort to let the insurers know about us and specifically, our designation. It has been a key effort for all our days and we are pleased to report that we have secured several key insurers. This is an ongoing initiative that is best pursued with a good deal of support behind us. We have gone on to implement a Corporate Campaign with the knowledge that our best approach to change the insurance position needs to come from policy holder pressure. We produced letters, conversation points and an infographic for this specific purpose. Our plans will soon include a politically based campaign as we hit the insurance companies from all angles.

The Paperwork

Early on we developed a survey, asking members to let us know how we were doing and what they wanted to see — then we accommodated. For example, Members wanted a "registered" title so we developed an appropriate one. Members asked for more payment options so we added first etrans and paypal followed by credit card by phone.

We developed The Voice newsletter and though it morphed in content and design, it still showcases popular recurring features (Wild, Wacky and Wonderful, Science Catching Up, Business Buzz etc.)

We used to provide an Upgrading Supplement twice yearly but have incorporated information related to continuing education into our weekly e-blasts. Bells and Whistles was also a twice a year publication highlighting of all the promotions and discounts offered. We asked how members got into the industry and titled the results The Spark, and Beyond Nutrition was an exploration of other modalities that members utilized in their practice. We started a Menu Exchange to help everyone with the "what's for dinner" question. We launched an interesting program called Sharing

Success and encouraged members to write about their successful case studies so we could all benefit — similar to the Saved by Nutrition book project. Cover to Cover still exists and features a listing of publications from our author members and of course CANNP was proud to publish The Holistic Nutritionist's Guide to Lawful Practice in Canada by our board member and lawyer Glenn Rumbell.

Being Inclusive

The Now What? Mentoring program to this day remains a valid and helpful approach to tackling post-school angst. The chat forum started as a yahoo group; then moved to our site; and has now nicely settled as a facebook group. Initially we offered students membership for a fee which would be deducted once professional membership was attained. Now we offer free student membership allowing students to test drive the organization.

Community

We worked with the President of the Ontario School Board Association and Real Food for Real Kids to make a difference for young kids. Then we approached McMaster University and became part of their Farmstand which was a great venue to reach young adults. CANNP was represented at a forum discussion hosted by Health Quality Ontario. This was a big step for holistic practitioners in that someone was present to ensure that our voice was heard in a mainstream discussion.

We developed videos, "3 Simple Rules" videos which helped reinforce the valuable information Members were imparting to clients. We started Healthy Lunch Month using the media to draw attention to a simple notion — once people see how good they can feel, they will continue to build better habits.

We started exploring tradeshow and persuaded many to provide a free or discounted rate to valid members. College of

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Then and Now *con't*

Physicians and Surgeons of Ontario asked for opinions about the future role of Complementary Medicine and letters were made available to members so they could reach out to MD's themselves. We started partaking in "feel-good" projects and for several years made Little Dresses for Africa and supported Organics for Orphans.

Mixed Bag of Free Offerings

Through the Walk the Talk program, we began a long list of member specials — which kept evolving. On the site there has always been a CANNP logo for Member use to add credibility to websites as well as a selection of generic flyers/brochures to tide Members over as they tackle all that needs to be attended to in the beginning of setting up.

CANNP had a great number of firsts — Natural Standards for example. We eventually found it to be far too mainstream and relinquished it in favour of the research library including Galen's Watch. We were also the first to pursue and secure extended dental and health coverage options.

Our podcasts and Inspired Events list has grown from wishful meetings to hard core help from real experts from all kinds of fields.

Goodlife membership is now available to qualifying members. As well as business card and flyer critiques, power hours, Colour Your Plate, and so many helpful giveaways.

Maintaining the Fee

Inflation has gotten us all! Purchasing our awesome optional fee based tools helps us keep fees in check. In addition, to assist Members with costs we now offer a discounted 2-year rate and the Membership Renewal Advantage which allows for up to a \$100 discount just for referrals.

Fine Tuning

We changed our designation from "coach" to "clinical" and our membership program from prorated to a rolling renewal which allows Members 12 months of membership no matter the join date. We were able to upgrade and enhance the E & O insurance we favour and amended the parameters. We worked with the Body and Mind dispensary which extended privileges to qualifying NNCP Holistic Nutritionists to take advantage of their wonderful product selection and price point.

CANNP has definitely evolved and we are so grateful to those who have and continue to take this great ride by our side.

Business Buzz

Paul Fink, BA, MBA, CPA (former), is a graduate from the University of Michigan and worked as a CPA at Peat, Marwick, Mitchell (now KPMG) in Detroit, Michigan, before moving to Toronto and becoming a leader in Commercial Real Estate Brokerage. Paul shares his extensive experience in business and his expertise in financial matters with the CANNP board.

Just bother — because the buck stops with you!

A nutritional practice, like many other professions, is built on personal connections, credibility and superior service.

There are two aspects to making sure you always put forth the best impression you can.

The first is understanding that whatever you present to a client, or the public, in any aspect, is a reflection of your business and your approach. Every piece of paper that the client sees — might see — reflects you and your professionalism. That means, take care to make sure that the language is correct, grammar is accurate and the spelling is right. Make sure everything looks neat and top-notch. It does not matter if you pay someone else to do any of the work on your behalf — if it falls under your banner, then it is your responsibility! Don't attempt to lay the blame elsewhere — you are ultimately responsible.

This also applies to the location at which you meet your clients. It needs to be clean, neat and tidy. The principle applies to any of the giveaways or take homes that you provide. If you drive your client to a grocery tour or any such event, then your car is a reflection of your practice. You get the idea — you are always "on."

The second part of this lesson is simple — bother. Bother to return emails or phone calls in a timely manner. Bother to review materials. Bother to prepare and present professionally. Bother to follow up when appropriate. Bother to research. Bother to take the time to put forth your best effort. Bother to care. Bother every time! Just bother.

Every little thing you do, or don't do, is making an impression — good or bad. Each encounter means you are building or eroding your credibility/reputation. It is constant. Excuses including vacation or family issues or alternate plans just don't cut it when you are building your own business. That does not mean that these foreseen and unforeseen issues don't arise. It just means that you need contingency plans. You need to do your best to make the service you provide as seamless to clients and potential clients as possible. Eblast a letter of explanation to keep the relevant parties informed. Work with an on-line reception service to answer your calls while you are unavailable. Partner with someone who can back you up or share the load. Ignoring the situation because it may be uncomfortable is not acceptable. Being honest is way better than not bothering.

However you decide to tackle your business, know that you are always building your reputation and ultimately your name is on the letterhead.

Nutrition: Add Value to the Industry

by Michelle Post

Did you know that health and wellness is a multi-trillion dollar industry world-wide. US\$4.2 trillion to be more specific, as of 2017, with nutrition being the 2nd most abundant money maker, next to personal care and anti-aging. In Canada, our share of that is a whopping US\$16.7 billion with an estimate of over \$US22 billion expected to be reached by the year 2022.

Yes, we can confidently say that the health and wellness industry is a multi-billion dollar industry.

It's important to know these stats because our part of the industry is not that well known. Yes there are dietitians, most of whom work completely differently than Holistic Nutritionists and Nutritional Consultants. They are not us.

There is the mindset that since some of our services aren't covered by some of the insurance agencies, that we have less value. Or, that since we weren't "university educated" that we have less value. Or, since we aren't that well known that we have less value. And the list goes on as to why we are less valued. And I'm here to say that's bull-cockey.

Each one of us has a unique life experience that nutrition has helped in magnificent ways. We each have clients who have gotten their lives back because of what we know and what we've learned and helped facilitate their transformation. We've chosen the highly accredited education to showcase how important our knowledge is. Would you say that your life has less value than anyone else's life? Or that your successful client's life is less valuable than anyone else's life? Our lives are infinitely valuable and we help facilitate both quality and quantity of life for each individual. There is no value that we can put on health because it is infinite. And no other industry does both quality and quantity of life like we do.

How can we help ourselves to stop feeling or thinking that we have less value? Or that we can't pay our bills? We need to, as an industry, start talking about ourselves; what we do; people that we've helped transform. The more of us that step up and share our individual stories, the more people will

understand that we are a necessary part of the industry. We need to take ownership of our own vision of how we see our service to others and not give it away as if it is common knowledge for everyone. We need to work with people who "want" our services, not people who we know "need" our services. This difference in who we work with will help elevate our industry. The people who want our services will be successful and they will influence the people that we know need our services. From testimonies, those that need our services, will start to inquire more about us and on it goes. Then we will truly elevate our industry.

The next step is to start changing this belief system that we are a "poor man's industry". What you believe is true. We've been educated enough to know that our feelings affect our very cells and we hold on to emotions physically, which can create ill health. This includes the idea that we don't make enough money. If we believe we are poor, then we are right, and our very cells will believe it. How does "poor man's" syndrome manifest for you? Do you feel fearful stepping out and sharing your amazing gifts? Do you talk down to yourself? Is there an issue with holding on to money? Or is money somehow negative? This negativity has to stop. We all need to collectively raise the vibrations of our belief system and that starts with each of us individually.

The health and wellness industry is a multi-trillion dollar one. We are part of a massive movement to live longer with quality. Believe this to be true and start taking part in showcasing how amazing you are — how amazing we all are. Together we can elevate the world of Canadian nutrition.

<https://globalwellnessinstitute.org/press-room/statistics-and-facts/>
<http://www.agr.gc.ca/eng/industry-markets-and-trade/canadian-agri-food-sector-intelligence/customized-report-service-health-and-wellness-trends-in-canada?id=1554401656839>

Michelle Post is a C.H.N.C. Holistic Nutrition Consultant/Nutritionist and certified professional co-active coach. Michelle is on a mission to empower the industry of Holistic Nutrition by empowering each individual nutritionist or nutritional consultant across Canada. <https://www.making-strides.ca>

Insurance Challenge Update

In an effort to make associating with CANNP as appealing to insurers as possible, we have provided a new way for Membership to be verified. Every month our listing can be checked. This means that renewing your Membership in a timely matter is very important. If the insurer checks and sees your membership has lapsed, then your client is not likely to get coverage, even if their employer qualifies.

The Corporate Challenge is well underway. Letters went out and follow up phone calls made. We still have the infographic (<https://cannp.ca/wp-content/uploads/2019/03/Infographic-umbrella.pdf>) and chart (<https://cannp.ca/wp-content/uploads/2019/11/chart.pdf>) available on our site for you to share with any corporate contact you may have or come across.

Next step is a more political approach through MP's.

Please use this link <https://www.providerconnect.ca/ProviderEnrollment/HPPSApplication.aspx> to register with Green Shield. CANNP is under "social worker/counselor." It will take approximately 7 days to update the GreenShield system.

Also, in order to better ensure coverage, always use the CANNP logoed document you have been provided with and be sure to use the words "Nutrition Counselling" as well as your complete NNCP identifier — letters and numbers. This is key!

Instruct your clients to submit every time even if they are sure that they do not have coverage time — so that employers know of the desire for coverage.

Science Catching Up

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Health Canada is looking into Metformin, a drug used in Type 2 diabetes, for traces of a cancer causing impurity after other countries found similar issue. The impurity, NDMA, is the same one which was found in Zantac, forcing it off the shelves earlier in the year. Health Canada does warn of the risk of stopping Metformin, claiming that it will take a long time for a person to notice the effects of this impurity. We are regularly exposed to NDMA through certain foods, water and air pollution and it is claimed not to cause harm at low levels.

<https://globalnews.ca/news/6262713/metformin-cancer-causing-impurity-probe/>

Exercise or a hot bath? Easy choice! Research from the Loughborough University revealed that hot baths might even be better than exercise when it comes to controlling blood sugar and reducing inflammation. It was a small sample of 14 but they found that men who bathed instead of cycled burned as many calories as a 30-minute walk and reduced peak post meal blood sugar by 10% more than the exercisers. Both hot baths and exercise generate extra heat shock proteins which are beneficial to health. Other studies have shown that saunas reduce stroke risk, hot baths reduce blood pressure and hot tub therapy is good for diabetics.

https://www.huffingtonpost.ca/entry/hot-bath-may-have-similar-benefits-as-exercise_n_58d90aa8e4b03692bea7a930

A study in the UK found that copper used as door handles, push plates on doors, taps and light switches greatly reduced antibiotic resistant bacteria — a growing issue. In a 10-week trial at a hospital in Birmingham, commonly touched items were fitted with copper and swabbed twice daily for bacteria. As compared with stainless steel fittings, there was a 95% reduction in bugs and super bugs. These surfaces were almost germ-free even after busy days when they were touched frequently and by many people. It is thought that the metal ions suffocate the germs and can stop them from feeding as well as destroy their DNA. Lab tests show that copper can destroy the MRSA and C Difficile viruses and well as others including the flu. It is claimed that the cost of copper is similar to stainless steel.

NOTE: Ingesting copper can be risky & should not be taken as supplement.

<https://www.southampton.ac.uk/news/2016/09/coppers-role-in-tackling-superbugs.page>

Quercetin, a flavonoid found in onions and apples, may boost immunity and actually protect against the flu — an apple a day! The University of South Carolina and Clemson University reported that stressful levels of exercise increased the susceptibility to flu and quercetin negated these effects. In rats exposed to extreme exercise and not given the flavonoid were 91% more likely to get the common flu as compared to those who got the quercetin. The results now need to be reproduced in humans.

<https://www.invitehealth.com/quercetin-a-flavonoid-found-in-apples-onions-may-protect-athletes-from-flu/radio/2008/10/>

Processed foods are typically filled with all sorts of things that we don't want our clients to eat. A new study in JAMA Internal Medicine included almost 105,000 people. After completing a 24-hour food diary it was found that more than 17% of their food by weight was ultraprocessed. Over years of followup it was determined that for each absolute increase of 10% in the weight of ultraprocessed food in the diet, the risk for diabetes increased by 13%.

<https://www.nytimes.com/2019/12/18/well/eat/the-more-processed-foods-you-eat-the-higher-your-diabetes-risk.html>

www. Wild, Wacky, Wonderful

<http://www.nourishingmeals.com/p/recipe-index.html>

Alissa Segersten author of *Nourishing Meals* and *The Whole Life Nutrition Cookbook*, has a blog site of her recipes. They are neatly ordered and easy to access with a handy “print friendly” version available. All recipes are gluten free and offer a great variety to help you and your clients navigate the realm of a whole foods, gluten-free lifestyle. She claims to be able to show you that healthy eating is fun and enjoyable and her recipes are kid tested by her 5 children! Great resource!

<https://www.beautycounter.com/en-ca/>

Skin care and make-up is not cheap! This company, Beauty Counter, offers a Clean Promise: Over 1,500 questionable ingredients are never used in our formulations. It is claimed that Canada, though better than the US and not as good as the UK, does not ban nearly this many unfavourable ingredients. Beauty Counter has a long “never list” making it quite enticing. Granted they are on the prowl for consultants as they are also clearly looking to sell product. However it would be worth taking a look to replace some of the less desirable products we might be using.

<https://acuityscheduling.com/#>

Instantly get a professional edge. Look and behave bigger than you are. Acuity is quite moderately priced and you have the option to try it for free.

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Nutritionists and Privacy Law *by Glenn Rumbell*

One area of law many Nutritionists find confusing is Privacy Law and how it applies to their practices.

In its broadest sense, Privacy Law refers to the laws that regulate how personally identifiable information is collected, used, stored and disposed of by governments and their agencies, and by private sector businesses. All businesses in Canada, including the health-related business operated by a Nutritionist, must comply with these laws.

As is so often the case in Canada, half the battle in complying with laws and regulations is knowing when you look to the federal government, and when you look to your provincial government.

In Canada the federal government imposes privacy laws on the private sector through the Personal Information Protection and Electronic Documents Act, commonly known by its acronym “PIPEDA”. In addition to the federal government’s PIPEDA, some provinces also maintain their own private sector Privacy Laws. Where these laws meet the minimum standards maintained by PIPEDA, the federal government deems them to be PIPEDA compliant and grants an exemption for residents of that province from complying with PIPEDA – in which case the province’s laws apply. If a province’s Privacy Laws do not meet the minimum standards maintained by PIPEDA, PIPEDA continues to apply in addition to the provincial law.

To add an extra layer of complexity, many provinces view personal health information as being particularly sensitive and maintain special personal health information Privacy Laws. Once again, if these laws meet the minimum standards maintained by PIPEDA, the federal government grants a PIPEDA exemption. If they do not, PIPEDA continues to apply in addition to the provincial law.

On a province by province basis here is how it breaks down.

The following provinces maintain general private-sector Privacy Laws that are PIPEDA compliant, and as a result their residents need only comply with the provincial law: Alberta, British Columbia and Québec.

The following provinces maintain special personal health information Privacy Laws that are PIPEDA compliant, and as a result, health practitioners in these provinces need only comply with provincial law: Ontario, New Brunswick, Newfoundland and Labrador and Nova Scotia.

A few examples may help clarify how this all works.

A nutritionist in private practice in Manitoba must look to the Privacy Laws of both the federal and Manitoba governments – because no PIPEDA exemptions have been granted to any Manitoba statutes. By contrast, a nutritionist in private practice in Alberta need only look to the Privacy Laws of Alberta with respect to the collection, use or disclosure of personal information – because the federal government has granted a PIPEDA exemption for Alberta’s Personal Information Protection Act. By contrast yet again, a nutritionist in private practice in Ontario must look to Ontario’s Personal Health Information Protection Act with respect to the collection, use or disclosure of personal health information – because the federal government has granted a PIPEDA exemption for that Act. However, because this Act applies only to personal health information, private businesses that do not handle ‘personal health information’ must comply with PIPEDA – because Ontario does not maintain a private sector Privacy Law of general application.

If you are in a province that has a specialty Privacy Law for health information, you must know whether you are regulated by the Privacy Law of general application, or the Privacy Law that governs health information. While the rules of each province may differ, looking at Ontario’s law can be instructive in how to work your way through layers of definitions to determine if the legislation applies to you.

For this part of my discussion, I am necessarily editing fairly lengthy definitions to the bits that apply, or may apply, to a nutritionist. For a more complete understanding of the rules, you must consult the actual laws of the province in which you reside.

Ontario’s Personal Health Information Protection Act regulates Personal Health Information by imposing obligations on Health Information Custodians. There is a two-step test that must be met before the Act applies to you. First, you must be dealing with Personal Health Information as defined in the Act and second, you must be doing so as a Health Information Custodian.

Under the Act, Personal Health Information is essentially defined to mean identifying information about an individual that relates to his or her physical or mental health, the provision of health care to the individual, the donation of body parts or substances by the individual and includes payments for health care, the individual’s health number and related personal information. The information collected by an Ontario nutritionist using a standard client intake questionnaire, and the advice typically provided to a client fall within this definition.

The second part of the test, determining whether you are acting as a Health Information Custodian, is a little more complicated. A Health Information Custodian is defined to include “a health care practitioner or a person who operates a group practice of health care practitioners”. Okay, so is a nutritionist in private practice a health care practitioner under the Act? The Act defines a health care practitioner to be, among other things, “any person whose primary function is to provide health care for payment”. We all know what “for payment” means, so this leaves us asking whether a nutritionist engaged in private practice is providing health care to his/her clients? Under the Ontario Act, the answer is yes. Health care is defined to include, among other things, “any observation ... assessment, care, service or procedure that is done for a health-related purpose and that, is carried out or provided to diagnose, treat or maintain an individual’s physical or mental condition ... or to prevent disease.”

So there we have it – a typical nutritionist practicing in private practice in Ontario providing health and wellness advice to clients is regulated by the Personal Health Information Protection Act, and must look to this Act and not PIPEDA, with respect to the collection, use and disclosure of the personal health information of his or her clients.

There is one final caveat. If that nutritionist is practicing as part of a group practice or clinic that owns the client records, it is the clinic who is the Health Information Custodian, and therefore the clinic who has primary responsibility for complying with the Act.

Glenn is a lawyer and founding partner of Ross Rumbell Professional Corporation, an Ontario based full service business law firm. Glenn Rumbell is a director of the CANNP. If you have a question you would like Glenn to tackle in The Voice, send it us at info@cannp.ca