

## **DEPARTURE FROM OR CLOSING OF PRACTICES**

Date adopted: July 27, 2019

Last updated: August 12, 2020

Departures from or closings of practices are trying times. If mishandled, they can significantly disrupt continuity of care and endanger patients.

### **Provide Continuity of Care**

Practitioners may continue to have obligations toward their patients during and after departing from or the closing of a chiropractic practice. Practitioners' obligations may vary, depending upon the circumstances, but the continuing care and welfare of patients should be a primary consideration. When possible, practitioners are required to take reasonable steps to not abandon a patient or abruptly withdraw from the care of a patient. Patients should be given reasonable advance notice (we recommend at least 30 days) to allow other chiropractic care to be secured. Good continuity of care includes preserving and providing appropriate access to patient records may include making appropriate referrals. The practitioner(s) and other parties that may be involved should ensure that the requirements for continuity of care are effectively addressed. Given that there can be unique employment and other service arrangements within practices, the Board does not have specific rules that apply to all instances. Instead, the Board expects all the relevant parties to cooperate and to ensure patients' access to the continuity of care. Generally, the Board expects that the owners of a practice to be responsible for notifying patients seen by employee practitioners. In the case of a departing owner practitioner from a multiple-owner group practice, all owners have a responsibility to the patients of the departing practitioner and should collectively agree as to manage the notification requirements, etc. If responsibility for notifying patients falls to a departing practitioner rather than to the group or employer, the group or employer has an affirmative obligation to provide to the departing practitioner information necessary to meet the notification requirements. There should be no interference in the discharge of this responsibility by withholding information or otherwise.

It is the position of the North Carolina Board of Chiropractic Examiners that during such times practitioners and other parties that may be involved in such processes must consider how their actions affect patients. Practitioners and other parties that may be involved have the following obligations.

### **Permit Patient Choice**

It is the patient's decision from whom to receive care. Therefore, it is the responsibility of all practitioners and other parties that may be involved to ensure that:

- Patients are notified in a timely fashion of changes in the practice and given the opportunity to seek other chiropractic care, sufficiently far in advance (we recommend at least 30 days) to allow other chiropractic care to be secured, which can be done by email, posting of the change on the landing page of the practice website and or by letters to patients currently under care;
- Patients clearly understand that they have a choice of health care providers;
- Patients are told how to reach any practitioner(s) remaining in practice, and when specifically requested, are told how to contact departing practitioners; and

- Patients are told how to obtain copies of or transfer their medical records.

The Board further expects that its licensees comply with any applicable state and/or federal law or regulation pertaining to a patient's protected healthcare information.

\*NOTE: The Board's Position Statement on the Retention of Patient Records applies, even when practices close permanently due to the retirement or death of the practitioner.