NOVA SCOTIA
CHIROPRACTIC AND
NATUROPATHIC
REGULATOR

SP-0005
Retail Sales Standard of Practice
Approved Date: migrated from NSCC
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Note to Readers: ***In the event of any inconsistency between this document and the legislation that governs chiropractic and naturopathic practice in Nova Scotia, the legislation prevails.***

This document is an update to prior NSCC Board Regulation – Retail Sales.

1. INTRODUCTION

The Nova Scotia Chiropractic and Naturopathic Regulator **(NSCNR)** is the regulatory authority for the practice of chiropractic and naturopathy in the Province of Nova Scotia. The NSCNR serves and protects the public interest to advance ethical and competent chiropractic and naturopathic care in Nova Scotia.

2. APPLICATION AND ADMINISTRATION

This Standard of Practice shall apply to all chiropractors and naturopathic doctors registered with the NSCNR (the "**Registrant**" or collectively the "**Registrants**").

Specific portions of this standard are identified as related to the sale of appliances and are applicable only to those with a license in the profession of Chiropractic **("DC Registrants")**

The administration and application of this Standard of Practice shall be the responsibility of the NSCNR. Should the NSCNR become aware of any alleged breach or noncompliance with this Standard of Practice, it may take any action it considers appropriate, including but not limited to:

3. contacting a Registrant to request the immediate remedy of any suspected breach or non-compliance; and

4. filing a formal complaint under the *Regulated Health Professions Act* regarding the suspected breach or non-compliance.

5. OBJECTIVES

6. The objectives of this Standard of Practice are to uphold public interest and safety by:

    (a) providing parameters for all NSCNR registrants related to the sale of products; and
    (b) providing parameters for DC registrants related to the sale of appliances.

7. DEFINITIONS

The following terms have the following meanings when used in this Standard of Practice:

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"appliances" refers to devices, supports or other products that are provided by a DC to a specific patient to support, provide home care or enable improved function. This includes, but is not limited to, orthotics, braces, pillows, home therapy devices and other therapeutic aids that are within the Chiropractic scope of practice.

"**incompetence**", in relation to a registrant, means a lack of competence demonstrated in the registrant's care of a client or delivery of regulated health services that, having regard to all the circumstances, rendered the registrant unsafe to practise at the time of such care of the client or delivery of regulated health services or that renders the registrant unsafe to continue in practice without remedial assistance

"**professional misconduct**" has the same meaning as the Regulated Health Professions Act and includes such conduct or acts relevant to the practice of a regulated health profession that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional, including

(a) failing to maintain the standards of practice;

(b) failing to adhere to any codes of ethics adopted by the regulatory body;

(c) abusing a person verbally, physically emotionally or sexually;

(d) misappropriating property, including drugs, belonging to a client or an employer;

(e) inappropriately influencing a client to make or change a legal document;

(f) abandoning a client;

(g) neglecting to provide care to a client;

(h) failing to exercise appropriate discretion with respect to the disclosure of confidential information;

(i) falsifying records;

(j) inappropriately using licensing status for personal gain;

(k) promoting for personal gain any drug, device, treatment, procedure, product or service that is unnecessary, ineffective or unsafe;

(l) publishing, or causing to be published, any communication that is false, fraudulent, deceptive or misleading;

(m) engaging or assisting in fraud, misrepresentation, deception or concealment of a material fact when applying for or securing registration or a licence or taking any

examination provided for in this Act, including using fraudulently procured credentials; and

(n) taking or using a designation or a derivation or abbreviation thereof, or describing the person's activities as being part of the practice of a regulated health profession in any communication, including verbally, unless the referenced activity falls within the practice of the profession;

8. STANDARDS OF PRACTICE: General

All Registrants of the NSCNR must comply with the following:

a) Products sold must be attained from a reputable supplier, regulated laboratory or licensed manufacturer;

b) Products sold must not be past any applicable expiration date;

c) There must be no financial interests, referral arrangements, incentives, rebates, ownership interests, or other conflicts of interest that influence the recommendation, prescription, or written direction related to the sale of any product.

d) Patients must be made aware of any actual, potential, or perceived conflict of interest prior to any product sale.

e) Registrants may not require a patient to purchase a clinic product as a condition of treatment, unless there is a clinically or practically justified reason related to a specific product that impacts patient prognosis.

f) Registrants must post or label costs of all products for public awareness prior to purchase.

g) Costs must be reasonable and customary for any products available elsewhere.

9. STANDARDS OF PRACTICE: Appliances (DC only)

a) All DC Registrants of the NSCNR must follow all of the above general standards in relation to appliances prescribed, recommended or sold to patients.

b) Appliances prescribed, recommended or sold to patients must be clinically appropriate and evidence informed.

c) Appliances are prescribed or recommended to a specific patient as part of a specific treatment plan.

10. EXEMPTIONS

There are no applicable exemptions to this Standard of Practice.

11. RESTRICTIONS

There are no applicable restrictions to this Standard of Practice.

12. LEGISLATIVE CONTEXT

Regulated Health Professions Act

Regulated Health Professions General Regulations

Regulations Respecting Chiropractic and Naturopathy

NSCNR Bylaws and Standards

13. RELATED REFERENCES

NSCNR Code of Ethics

NSCNR Patient Record Management Standard of Practice