

Thank you for the opportunity to allow the College Massage Therapists of Newfoundland and Labrador to comment on the review of PHIA. There are several issues with Section 4 (1) Custodian that affect the Registered Massage Therapists that we would like to bring to your attention:

1. The definition of custodian does not specify if an RMT is self-employed who is the designated custodian
2. Where an RMT works in a multi-disciplinary clinic with health care professionals such as physiotherapists, chiropractors and other RMT's, there is no provision under section 4 of PHIA that says who is custodian of the patient file being shared.
3. In a setting where the owner is not considered a health care provider but the employees are health care providers, who is custodian? When the employee leaves the work place, who is custodian of the files if the file is being shared by multiple health care RMT or the owner or one of the other health care providers that share the file?

Registered massage therapists and other health care providers do not always fall into the owner or employee provision of Section 4 Custodian of PHIA. We would like the opportunity to discuss these issues with the Review Committee and be consulted during the process so we can clarify the issues that have come up over the past few years.

Regards,

Yolanda Critch
Registrar, CMTNL