

POLICY

POLICY SECTION Client Services	POLICY NAME Electronic Communication Consent Policy	POLICY NUMBER PS - 807
SUBSECTION	RESPONSIBILITY COO (Chief Operating Officer)	APPROVED BY CEO
EFFECTIVE/REVISED DATE January 2021	LAST DATE REVIEWED: February 2024	NEXT REVIEW DATE February 2025

POLICY

Electronic communication (i.e. text, email, etc.) may be used for timely and efficient communication with clients/participants and may help strengthen client participant engagement in treatment.

However, such forms of communication occur ONLY with the client's/participant's consent.

Benefits of Email and Text Communication:

- There is opportunity and access to send messages at any time.
- Provides opportunity to compose messages and responses thoughtfully.
- Creates a record of communications for reference in treatment.
- Allows communication about client/participant progress and practice or application of skills between sessions.
- Some clients/participants find that it may be easier to initially communicate some issues through these means rather than in person or virtual discussion.

Risks of Email and Text Communication

- Although the agency has protections in place for the privacy of email and text communication, it is still possible that an accidental disclosure could occur.
- Email messages may be sent but not received or may be delivered to the wrong party.
- Text messages may be sent but not received or delayed by hours/days especially between different service providers.
- Email messages may be filtered out as "spam" or "junk."
- Confidentiality may be breached when the email or text is intercepted by those not intended to receive it, or by errors in the address and telephone number entered.

- Emails sent from client's worksite are typically subject to review by the employer and cannot be considered confidential.
- If electronic communication cannot be incorporated into the client record, then this form of communication cannot be used. Copies of mail and text communication must be retained in digital format in the client record.
- Email or text communication that discloses the potential for harm to self or to another person or suspected child abuse cannot be kept confidential consistent with current legislation.
- Email and text may not be monitored regularly during the day and there is no guarantee of an immediate response. The telephone system must be used for any urgent requests.
- Email and texts will not be responded to outside of business hours.

Alternatives to Email or Text Communication

The alternative to email or text communication is to communicate face to face during sessions or programs, or by phone.

Safeguards

Client/participant responsibilities

- Clients/participants are responsible for safeguarding the privacy of email and text communications from access by others in their home environment, or from shared or public computers if applicable. A separate password protected email account is recommended.
- Clients/*participants* may request "return receipt" to acknowledge that their message has been received.
- Clients/participants must acknowledge that email from work accounts, if applicable, is NOT CONFIDENTIAL and should not be used for any sensitive treatment information.
- Clients/participants must acknowledge that Lumenus does not provide crisis services and electronic communication is not to be used for any emergency or urgent communications; and agree to follow established emergency phone contact procedures if needed.
- Clients/participants must acknowledge that email and text messages will be kept as part of the client's/participant's treatment record.
- Client, therapist, participants, and staff will determine appropriate use of electronic communication and agree on the nature, volume and frequency of email and text communication which supports effective treatment/service.
- Clients/participants may revoke their consent to communicate by email or text at any time.
- The agency reserves the right to cease the use of email and/or text communication if it is inappropriate or unsafe to continue.

Agency responsibilities

- Lumenus has policies and practices in place to safeguard the privacy of all client/participant information. Information sent via text or email will be retained in a digital format in the client file.
- Lumenus has established, and adheres to, confidentiality practices for all communications. These practices include staff training, privacy and confidentiality policies and procedures, and password protected email accounts.

Procedures:

During the clients/participants initial interview, or at other times during treatment/service when the use of email or text messaging is proposed, the client's/participants informed consent for these specific form(s) of communication will be obtained in writing or verbally using the Consent to Email and Text Communication form and placed in the client or program file, if relevant for client/participant service level.

1. Before electronic communication is initiated, the employee will discuss the risks and benefits of this form of communication, will explain the agency's guidelines on the use of electronic communications in relation to their service, identify the need for informed consent and review the components of the consent form with the client/participants. The Consent to Email and Text Communication form is completed and signed (in writing, e-signature or verbal confirmation formats) and the form is saved into the client record and where verbal consent is received it is documented in the client's or program's file before electronic communication begins.
2. Clients'/participants' consent may be withdrawn with a written or e-mail or verbal request at any time and the transmission of e-mail, and texts will cease immediately.
3. Employees will send email only from their business/program email or phone.
4. On going psychotherapy exclusively via email and texting is not permitted and clients will be redirected for sessions to occur in person or through remote sessions.
5. Clients/participants will be advised not to include the employee on an email list or give the email address to anyone else. If this occurs more than once the client will be informed that e-mail communication will be discontinued.
6. Clients /participants will be advised not to include attachments with their e-mails and will be informed that attachments will be deleted, unread, due to the risk of viruses.
7. The use of password protection on the client's /participant's email account will be recommended.
8. Exceptions to confidentiality, including instances in which the employee has a duty to report to the Children's Aid Society or Law Enforcement, apply to all communications. This will be reviewed with the client/participant before beginning electronic communication.
9. Emails and texts sent and received are part of the client's/participant's correspondence and will be entered into the client electronic record.



10. The clients'/participants' last name will not be used in the body of the email.

ELECTRONIC COMMUNICATION CONSENT POLICY ACKNOWLEDGEMENT FORM

I, _____, have reviewed and understand the above policy.

Signature:
Supervisor Signature:

Date:
Date: