

*** DRAFT - NOT YET FILED ***

TO BE RESCINDED

4734-8-07

Terminating the doctor-patient relationship.

- (A) In order to terminate the doctor-patient relationship, the chiropractic physician shall mail to the patient via certified mail, return receipt requested, a letter advising the patient of the following:
- (1) That the doctor-patient relationship is terminated;
 - (2) That the chiropractic physician will provide services for up to thirty days from the date the letter was mailed to allow the patient an opportunity to secure care from another chiropractic physician;
 - (3) An offer to transfer the patient's records to a new chiropractic physician upon receipt of a signed authorization.
- (B) Except as provided for in paragraph (E) of this rule, a chiropractic physician who wishes to leave a practice, sell or close a practice, or retire from practice shall provide notice of such leaving, selling or closing, or retirement no later than thirty days prior to the last date the physician will see patients. Notification to each patient shall include information advising the patient of their opportunity to transfer or receive records. If the records will remain in the chiropractic physician's possession, contact information for obtaining records shall be provided. Notification shall be made by each of the following methods:
- (1) Mailing a notice via regular mail to the last known address of all patients treated by the chiropractic physician within the preceding five years; and
 - (2) By publishing a notice in the newspaper of greatest circulation in the county in which the chiropractic physician has practiced and in a local newspaper that serves the immediate practice area; and
 - (3) By posting a notification in a conspicuous location at the chiropractic physician's office.
- (C) The doctor-patient relationship shall be considered terminated by the patient if the patient terminates the relationship either verbally or in writing or has transferred care to another chiropractic physician. The chiropractic physician shall document the patient's method of termination in the patient's treatment record.

- (D) If a chiropractic physician dies, becomes incapacitated or otherwise unable to practice, his or her executor, guardian, administrator, conservator, next of kin, or other legal representative shall endeavor to comply with the requirements of this rule. The chiropractic physician, executor, guardian, administrator, conservator, next of kin, other legal representative, or probate court shall notify the board of the location of the patient files.

- (E) If a chiropractic physician is the employee of another chiropractic physician, the patient records belong to the employer and therefore the chiropractic physician employee is not required to comply with this rule. It is the employer chiropractic physician's responsibility to maintain continuity of care, or to comply with this rule if patient care will be terminated upon a chiropractic physician employee's leaving or terminating employment.

- (F) Any person who takes custody of chiropractic patient records is bound to protect the safety, security and confidentiality of those records.

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4734.10
Rule Amplifies:	4734.31
Prior Effective Dates:	11/15/07, 4/5/09