

ACC Position Statement

Treatment of Colleagues



Treating someone you have an existing personal relationship with can blur professional boundaries. This can create power imbalances, poorly defined therapeutic roles and impaired clinical judgement, which may result in poor quality management decisions and the potential for excessive or unnecessary treatment.

This is relevant to all types of treatment providers and includes the treatment of work colleagues or family of work colleagues, particularly where there may be a perceived financial incentive or other conflict that could affect good clinical judgement.

Definitions

The Medical Council of New Zealand in its Statement on providing care to yourself and those close to you defines “those close to you” as *“any other individuals who have a close relationship with you whether familial or not, where the relationship is of such nature that it could reasonably be expected to affect your professional and objective judgement”*.

The Physiotherapy Board of NZ (PBNZ) recently published its revised Professional Standards and Code of Ethics. As part of this, the term ‘work colleagues’ has been added to the definition of ‘those close to you’ in their revised Standard for the treatment of Whānau, Family Members and Others Close to You.

Schedule 1, clause.1 of the Accident Compensation Act 2001 states that ACC is liable to pay or contribute to the cost of the client’s treatment for personal injury for which they have cover. The Act also states that ACC is liable to pay such costs when the treatment:

- is necessary and appropriate
- is performed only on the number of occasions necessary
- is given at a time or place appropriate for that purpose.

Considerations

Any ACC client (including those that are also a provider) has the right to choose where they seek appropriate treatment. When determining whether treatment of colleagues should be funded by ACC it is important to also consider if treating them is ethical and reflects good clinical practice including whether:

- there is sufficient professional separation to ensure that professional judgements will not be impaired and impact on diagnosis and treatment
- the client will feel they can easily share personal information relevant to their health, change provider or make a complaint if necessary as a client
- there are no power imbalance issues which could impact on the client’s rights
- there are no financial drivers for continuing the therapeutic relationship that could cloud clinical judgement
- the protection of the client’s personal health information can be assured.
- there is no financial gain to be received by seeking treatment from a colleague.

A colleague is generally a person who you work with in a profession or business. Based on the size and nature of some businesses there may be circumstances where you may not consider a colleague as someone who is close to you.

If you do choose to treat a colleague, it is important to document your consideration of the factors listed above, as well as any perceived financial or professional conflicts. Ideally there should be a system in place which allows for independent verification, e.g. a referral to a General Practitioner or other provider if recovery falls outside the expected treatment path.

Where we find that the ethical considerations, or the clinical rationale for treating colleagues have not been met and documented and it is not clinically justified we will seek reimbursement of any payments made.

We may also notify the relevant Regulatory Authority if we consider there is potential risk of harm under the Health Practitioners Competence Assurance Act 2003.

Please contact your local ACC Engagement and Performance Manager if you have any further questions. Contact details can be found on our website

www.acc.co.nz/for-providers/provide-services/engagement-performance-managers