

STANDARD OF PRACTICE

Members are reminded that dentists are obligated at all times to maintain the standards of practice of the profession including those published by the College. A member who fails to comply with a standard published by the College or the generally accepted standards of practice of the profession may be acting in a manner that could result in allegations of professional misconduct.

Virtual Care

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EXECUTIVE SUMMARY

This Standard of Practice articulates requirements for the use of technology when providing and supporting the delivery of dental care to patients remotely (i.e., virtual care). This Standard of Practice applies to direct patient care only (i.e., interactions between dentists and patients) and does not address indirect patient care (e.g., consultations between health care providers and referrals).¹ A companion resource, [Virtual Care FAQs](#), has also been developed to provide additional information and guidance (e.g., on consultations and referrals, cross-border virtual care, and liability protection).

DEFINITIONS

Ontario dentists are registrants of the Royal College of Dental Surgeons of Ontario (RCDSO).

Virtual care (also known as “teledentistry”) includes, but is not limited to, the use of electronic information, imaging, communication, and patient engagement technology to provide and support the direct delivery of dental care to patients remotely. Virtual care does

¹ Requirements for referrals to another dentist for consultation and/or treatment purposes can be found in RCDSO’s [Most Responsible Dentist Practice Advisory](#) and [Dental Recordkeeping Guidelines](#).

not include indirect patient care, such as consultations between health care providers.² Virtual care may be synchronous (e.g., live, two-way interaction using audio or video communication technology) or asynchronous (e.g., store-and-forward technology).³

PRINCIPLES

The following principles form the foundation for the requirements set out in this Standard:

1. Virtual care is the practice of dentistry⁴: all legal, professional, and ethical obligations that apply to in-person dental care also apply to dental care delivered virtually.
2. A dentist-patient relationship is established virtually in the same circumstances as when a relationship is established in-person.
3. Virtual care is a viable alternative to in-person, hands-on dental care when the use of technology is appropriate for the patient (i.e., when dentists meet the standard of care and all relevant obligations, and put patients' best interests first).
4. Regardless of where the dentist or patient is geographically (i.e., physically) located, the RCDSO maintains jurisdiction concerning the conduct of its registrants.

REQUIREMENTS FOR VIRTUAL CARE

1. Ontario dentists must only provide virtual care in accordance with the requirements set out in this Standard.
2. When providing virtual care, Ontario dentists must continue to meet the standard of care and the existing legal, professional, and ethical obligations that apply to dental care that is provided in-person, including but not limited to, those pertaining to consent to treatment, protecting personal health information (PHI), and recordkeeping.⁵
3. Ontario dentists must ensure that they have the competence to provide virtual care, including the competence to use the relevant technology effectively.

ASSESSING THE APPROPRIATENESS OF VIRTUAL CARE

Virtual care may not be appropriate in every instance. For example, not all conditions can be effectively assessed and/or treated virtually,⁶ and not every patient has access to, or will be comfortable using, technology. As such, Ontario dentists must:

4. use their professional judgement to determine whether virtual care is appropriate in each instance it is contemplated and whether virtual care will enable them to meet the standard of care and all applicable legal, professional, and ethical obligations;
5. identify the resources (e.g., technology, equipment, support people⁷) that are required to provide care virtually, and only proceed if those resources are available and can be used effectively;

² Requirements for referrals to another dentist for consultation and/or treatment purposes can be found in RCDSO's [Most Responsible Dentist Practice Advisory](#) and [Dental Recordkeeping Guidelines](#).

³ See the [FAQs](#) for more information regarding how "virtual care" is defined for the purposes of this Standard, including "direct" and "indirect" patient care.

⁴ The practice of dentistry is the assessment of the physical condition of the oral-facial complex and the diagnosis, treatment, and prevention of any disease, disorder, or dysfunction of the oral-facial complex (Section 3 of the [Dentistry Act, 1991, S.O. 1991, c. 24](#)).

⁵ Additional information regarding existing obligations is set out in RCDSO's [Standards, Guidelines, and Advisories](#).

⁶ In-person, hands-on examinations or treatments may be required for certain conditions.

⁷ For example, oral health care providers, other health care providers, the patient's family member or friend.

6. consider the nature of the patient's condition and only proceed if the dental care can be delivered virtually without compromising the standard of care (e.g., an in-person, hands-on examination or treatment is not required in order to meet the standard of care); and
7. consider the patient's existing health status, specific health-care needs, and specific circumstances and preferences, and only provide virtual care if it is in the patient's best interest and the potential benefits to the patient outweigh any risks.

PROVIDING VIRTUAL CARE

Identifying the Patient and Dentist

When providing virtual care, Ontario dentists must:

8. take reasonable steps to verify and authenticate the identity of the patient prior to collecting, accessing, using, or disclosing the patient's PHI;⁸
9. confirm the current geographic location of the patient and disclose their own geographic location (e.g., city, province); and
10. disclose the following to all new patients:
 - a. their identity and the jurisdiction(s) in which they are licensed; and
 - b. whether in-person dental care is offered, and if so, the practice address.
11. Ontario dentists are advised to consider whether it would be helpful to disclose the information in provision 10 to existing patients when doing so would be in the patient's best interest (e.g., in circumstances where the patient has not been seen in some time).

Obtaining Consent for Virtual Care and Recording

In addition to obtaining valid consent for any treatment proposed,⁹ Ontario dentists must obtain the patient's (or substitute decision-maker's) consent¹⁰ for:

12. the delivery of care using a virtual modality, which will require providing information regarding the benefits, limitations, and potential risks of using the virtual modality, as well as any associated costs;
13. the delivery of care using a virtual modality each time the benefits, limitations, and potential risks change (e.g., if the type of technology used changes), or any associated costs change; and
14. the collection of PHI via audio or video recording, in circumstances where Ontario dentists want to record the virtual dental appointment.¹¹

Ensuring the Setting and Technology is Appropriate

For synchronous dental care delivered virtually, Ontario dentists must:

15. confirm that the physical setting where the patient is receiving the dental care is appropriate and safe in the circumstances (i.e., taking into account the nature and purpose of the intended interaction); and
16. if it is not appropriate or safe to proceed, the dentist must take appropriate action, such as explaining to the patient that they will be unable to proceed at that time and re-scheduling the appointment in a timely manner.

⁸ If staff are assisting with the verification and authentication of the patient's identity, Ontario dentists may want to consider confirming the patient's identity themselves prior to collecting, accessing, using, or disclosing the patient's PHI to ensure that this requirement has been met.

⁹ See the [Health Care Consent Act, 1996, S.O. 1996, c. 2, Sched. A](#) and RCDSO's [Informed Consent](#) webpage for more information.

¹⁰ For clarity, the requirement to obtain consent for the delivery of care using a virtual modality is a RCDSO requirement and not a requirement set out in the *Health Care Consent Act, 1996*.

¹¹ For clarity, the requirement to obtain consent for the collection of PHI via audio or video recording in circumstances where Ontario dentists want to record the virtual dental appointment is a RCDSO requirement and not a requirement set out in law.

For all dental care delivered virtually, Ontario dentists must:

17. use technology that is fit for purpose (i.e., it allows them to gather the information needed to provide or support dental care delivery and supports the sharing of high quality and reliable patient health information);
18. establish quality assurance mechanisms via ongoing monitoring and evaluation to ensure that dental care provided virtually is safe, effective, and consistent with the standard of care and their legal, professional, and ethical obligations; and
19. take appropriate action if patient's best interests will no longer be served by using a virtual modality, such as scheduling or referring a patient for appropriate follow-up care in a timely manner if in-person, hands-on dental care is required.

Protecting Privacy and Confidentiality

When providing virtual care, Ontario dentists must:

20. protect the privacy and confidentiality of the patient's PHI in accordance with the [Personal Health Information Protection Act, 2004 \(PHIPA\)](#), specifically by:
 - a. using secure technology¹² that, at minimum, has controls to ensure only the intended patient has access to appointments, and strong encryption when PHI is stored and/or transmitted;¹³
 - b. providing virtual care in a private setting that will ensure the patient's PHI is not overheard or seen by other individuals; and
 - c. for synchronous dental care, asking the patient whether they are in a reasonably private setting and are comfortable discussing or sharing their PHI at that time, and disclosing the identities of all participants that will be present.

¹² If unsure, dentists can confirm with the service provider that the technology meets Ontario privacy requirements.

¹³ The Information and Privacy Commissioner of Ontario advises health information custodians, including dentists, to avoid using personal email, unencrypted text messaging or free cloud-based videoconferencing platforms to communicate with patients because these platforms raise serious privacy risks.

¹⁴ For clarity, the requirement to obtain consent for the delivery of care using a virtual modality and recording virtual dental appointments is a RCDSO requirement and not a requirement set out in law. For more information on these topics, see the [Virtual Care FAQs](#).

¹⁵ For clarity, the requirement to retain a copy of any recordings as part of the record is a RCDSO requirement and not a requirement set out in law.

¹⁶ See the [Virtual Care FAQs](#) for more information about liability protection.

For more information about privacy and security for virtual care, refer to the Information and Privacy Commissioner of Ontario's [Privacy and Security Considerations for Virtual Health Care Visits: Guidelines for the Health Sector](#).

Recordkeeping

When providing virtual care, Ontario dentists must:

21. keep appropriate records in accordance with the RCDSO's [Dental Recordkeeping Guidelines](#) and [Electronic Records Management Guidelines](#), and specifically note that:
 - a. consent was obtained for the delivery of care using a virtual modality and if applicable, for recording the virtual dental appointment;¹⁴ and
 - b. the dental care was delivered virtually;
22. retain a copy of any audio or video recordings of virtual dental appointments as part of the record.¹⁵

ONTARIO DENTISTS PROVIDING VIRTUAL CARE ACROSS BORDERS

At times, the provision of virtual care may take place across borders. This could occur, for example, when the Ontario dentist, the patient, or both are geographically located outside of Ontario at the time care is delivered.

When providing virtual care across borders, Ontario dentists must:

23. comply with the requirements set out in this Standard; and
24. ensure that they have appropriate liability protection¹⁶.

Ontario dentists are advised that licensure requirements for the provision of virtual care may vary across jurisdictions. This means that the dental regulatory authority (DRA) of the jurisdiction where the dentist and/or patient is geographically located may require Ontario dentists to be licensed in that jurisdiction in order to provide virtual care. These licensure requirements may apply to incidental care delivered to an existing patient who is temporarily outside of Ontario. For this reason:

- 25. The RCDSO strongly recommends that Ontario dentists be aware of any applicable licensing requirements when providing virtual care across borders.¹⁷

LICENSING REQUIREMENTS WHEN PROVIDING VIRTUAL CARE TO ONTARIO PATIENTS

At times, dentists who are licensed and geographically located outside of Ontario may wish to provide virtual care to patients who are geographically located in Ontario (i.e., Ontario patients). Dentists who provide virtual care to Ontario patients must:

- 26. hold a valid and active certificate of registration with the RCDSO, unless virtual care is being provided within an existing dentist-patient relationship and intended to bridge a gap in care for a limited period of time.¹⁸

As the provision of virtual care across borders continues to evolve and DRAs establish positions and requirements in their respective jurisdictions, the RCDSO will monitor these developments and take any necessary steps in response.

¹⁷ See the [Virtual Care FAQs](#) for more information.

¹⁸ This provision does not permit dentists licensed in other jurisdictions to circumvent Ontario licensing requirements and primarily practise in Ontario. It is intended to allow the provision of limited virtual care by dentists licensed in other jurisdictions in an exceptional circumstance (i.e., where it is in a patient's best interest to bridge a gap in care for a limited period of time within an existing dentist-patient relationship).