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## Professional Standard and Guidelines for Ending the Physician-Patient Relationship

This document is a physician **standard** and **guidelines** approved by the Council of the College of Physicians and Surgeons of Nova Scotia.

A **standard** reflects the minimum professional and ethical behaviour, conduct or practice expected by the College of Physicians and Surgeons of Nova Scotia. Physicians licensed with the College are required to be familiar with and comply with the College **standards**.

**Guidelines** contain recommendations endorsed by the College of Physicians and Surgeons of Nova Scotia. The College encourages its members to be familiar with and to follow its **guidelines** whenever possible and appropriate. Note that **guidelines** may contain references to College **standards**.

### Preamble

The physician-patient relationship is unique and depends upon trust and confidence between the parties for the provision of care. Physicians are entitled to end the physician-patient relationship under certain circumstances. Each situation is ultimately fact-specific. Physicians are expected to apply good clinical judgment and compassion in each case to determine the most appropriate course of action.

The document intends to clarify what is expected of physicians when ending a physician-patient relationship in circumstances other than the physicians' retirement, relocation, leave of absence or disciplinary action. Physicians are required to abide by all relevant Human Rights legislation.

### Principles

- a) Physicians have a duty to act in the best interests of their patients.
- b) An effective doctor-patient relationship is necessary for the provision of quality health care.
- c) Patients are entitled to be treated with respect and without discrimination during all stages of the physician-patient relationship, even if the relationship faces termination.

## **Professional Standard**

- 1) A physician must have reasonable grounds for discharging a patient from his or her medical practice and document those reasons in the patient's record.
- 2) A physician must not discharge a patient:
  - a) based on a prohibited ground of discrimination as identified in the *Nova Scotia Human Rights Act, 2012* as follows: age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical or mental disability, an irrational fear of contraction an illness or disease, ethnic, national or aboriginal origin, family status, marital status, source of income, political belief, affiliation or activity, and an individual's association with another individual or class of individuals having characteristics aforementioned;
  - b) because a patient makes poor lifestyle choices (such as smoking);
  - c) because a patient fails to keep appointments or pay outstanding fees unless advance notice has been given to the patient;
  - d) because the patient refuses to follow medical advice, unless the patient is repeatedly non-adherent despite reasonable attempts by the physician to address the non-adherence; or
  - e) because the physician relocated his or her practice to a new location to which current patients could be reasonably expected to follow.
- 3) When unilaterally terminating a relationship with a patient, a physician must:
  - a) give advance written notice of intention to terminate care and provide a timeline that is commensurate with the continuing care needs of the patient,
  - b) advise the patient of the reasons for termination of the physician-patient relationship unless disclosure of the reasons could be expected to:
    - i. result in immediate and grave harm to the patient's mental or physical health or safety;
    - ii. threaten the mental health and physical health or safety of another individual; or
    - iii. pose a threat to public safety.
  - c) ensure continuity of follow-up care for outstanding investigations and serious medical conditions prior to the termination date or arrange transfer of care to another physician;
  - d) provide or arrange for care until the termination of care; and
  - e) establish a process for transfer of the patient's medical information in response to future requests by the patient or an authorized third party.

## **Guidelines**

- 4) Notwithstanding 2 (e), a physician may terminate a patient relationship if:
  - a) the physician is changing scope of practice such that current patients would no longer fit within the new scope; or
  - b) a relocation occurs more than twelve (12) months after closing an earlier practice.

- 5) Notwithstanding subsection (3), a physician may immediately discharge a patient if:
- a) the patient poses a safety risk to office staff, other patients or the physician;
  - b) the patient commits fraud, such as for the purpose of obtaining narcotics or other drugs;
  - c) the patient is abusive to the physician, staff or other patients;
  - d) the patient fails to respect reasonable professional boundaries, or
  - e) the physician is leaving medical practice because of personal illness or other urgent circumstances.

This list is not exhaustive.

## Acknowledgements

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## Document History

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