



---

## Professional Standard on Withdrawal of Physician Services during Job Actions

This document is a **standard** 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**.

### Preamble

The College of Physicians and Surgeons of Nova Scotia ("the College"), as well as the public, the medical profession and the government of Nova Scotia, is concerned about the quality and accessibility of health care.

The College acknowledges its obligation to communicate clearly to all parties what it expects from the medical profession in Nova Scotia during any withdrawal of services. The aim of this professional standard is to clarify the College's position and expectations in the event that any College members choose to withdraw their services as part of a job action. This professional standard is similar to others instituted by other Canadian Colleges, and deals specifically with job actions, as opposed to holidays or other forms of voluntary leave.

The College has no interest in taking sides in any physician job action. Its sole focus is public protection and maintenance of the profession's public reputation. By instituting this professional standard, the College does not intend to judge or comment on the position of any organization or individual on any side of a job action.

The College acknowledges the right of physicians to withdraw services under specific circumstances and with reasonable notice. However, physicians, either individually or through call groups, must be available to assess and treat patients in whose cases the absence of such care may result in serious harm. Failure to do so is unacceptable and may constitute professional misconduct.

## **What does the College expect from physicians who wish to withdraw services?**

The College expects that individual physicians will adhere to their ethical obligations and avoid placing their patients at undue risk.

The College expects and is confident that physicians in Nova Scotia will act responsibly toward patients during any withdrawal of services.

The College expects and is confident that physicians in Nova Scotia will provide appropriate emergency care and will ensure that patients are not abandoned.

The College expects that physicians will put in place a plan that will ensure patient access to emergency and other required services in circumstances where groups of physicians decide to withdraw services at the same time.

The College expects that physicians choosing to withdraw services will inform patients of their decision and assure that patients are informed of the availability of emergency services.

The College expects that physicians will recognize the need for ongoing monitoring of their patients with conditions that could deteriorate during a delay in treatment resulting from a withdrawal of services.

The College expects and is confident that physicians will make appropriate arrangements for the treatment of patients under their care who remain hospitalized or who are receiving or completing a course of treatment and who may suffer if the course of treatment is not continued or completed.

## **What does the College expect from the physician members of its Council and committees?**

Council members have a fiduciary duty to support the mission and mandate of the College, and in so doing, to represent the best interests of the public and the profession. By participating in a job action, there could be a perceived or actual conflict between a Council member's role as physician and Council member. Therefore, the College expects that physician members of the Council and its committees will:

- a) refrain from participating in a service withdrawal related to a job action in order to avoid a potential conflict of interest, or
- b) resign from their Council/committee position(s) if they participate in a service withdrawal related to a job action in order to avoid a potential conflict of interest.

## **What can the public expect from the College during a withdrawal of physician services?**

The College will monitor the situation in Nova Scotia communities by communicating with individual physicians, with Doctors Nova Scotia and with the Nova Scotia Department of Health and Wellness to address concerns regarding patient access to medical care and to resolve difficulties where possible.

If the College receives written complaints arising from a withdrawal of physician services, it will apply its established investigative process to these complaints.

## **Acknowledgements**

The College of Physicians and Surgeons of Nova Scotia acknowledges the assistance of the College of Physicians and Surgeons of Saskatchewan, the College of Physicians and Surgeons of British Columbia, the College of Physicians and Surgeons of Ontario and the College of Physicians and Surgeons of Newfoundland and Labrador in preparing this document.

## **Document History**

Re-approved by the Council of the College of Physicians and Surgeons of Nova Scotia: **December 14, 2012**

Approved by the Council of the College of Physicians and Surgeons of Nova Scotia: **October 12, 2007**

Approximate date of next review: **December 2017**

*Unless otherwise noted, this material is © College of Physicians and Surgeons of Nova Scotia. This material may be reproduced for non-commercial purposes, in whole or in part, provided that credit is given to the College of Physicians and Surgeons of Nova Scotia or other original source identified in this document. Any other use requires permission from the College of Physicians and Surgeons of Nova Scotia.*