



Practice standards and medical-legal obligations during COVID-19

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Complaints and Practice Investigations

Derek Puddester, MD, MEd, FRCPC, PCC

- Retired from all positions prior to joining the College as deputy registrar in April 2020
 - Saegis – consultant
 - University of Ottawa – consultant and faculty
 - Pallium Canada – consultant
 - LEADS Canada – coach and facilitator
 - Oman Medical Board – faculty
 - Royal College International – faculty
 - CME at Sea – advisory board
 - Royal College of Physicians and Surgeons of Ontario – advisory committee on physician health and well-being
 - College of Physicians and Surgeons of Ontario – medical reviewer
 - Calian – provider of psychiatric services to Canadian Armed Forces
 - Children’s Hospital of Eastern Ontario – speaker

Conflict of interest

- Neither speaker has disclosed any conflicts of interest

Learning objectives

- Interpret and operationalize practice standards and bylaws during COVID-19
- Identify professional and ethical obligations to care for and protect patients, staff and self during COVID-19

Role and mandate of the College

- To serve the public by regulating physicians and surgeons
- To ensure physicians meet expected standards of practice and conduct
- To ensure physicians are qualified, competent and fit to practise
- To respond to complaints from patients
- To administer quality assurance activities

It is not the College's role to advocate on behalf of registrants. We are aware of the distress and challenges registrants are facing right now. Many conversations are taking place with Doctors of BC, the Ministry of Health, and the regional health authorities.

Be CALM.
Be KIND.
Be SAFE.

 - Dr. Bonnie Henry

Optimizing virtual care

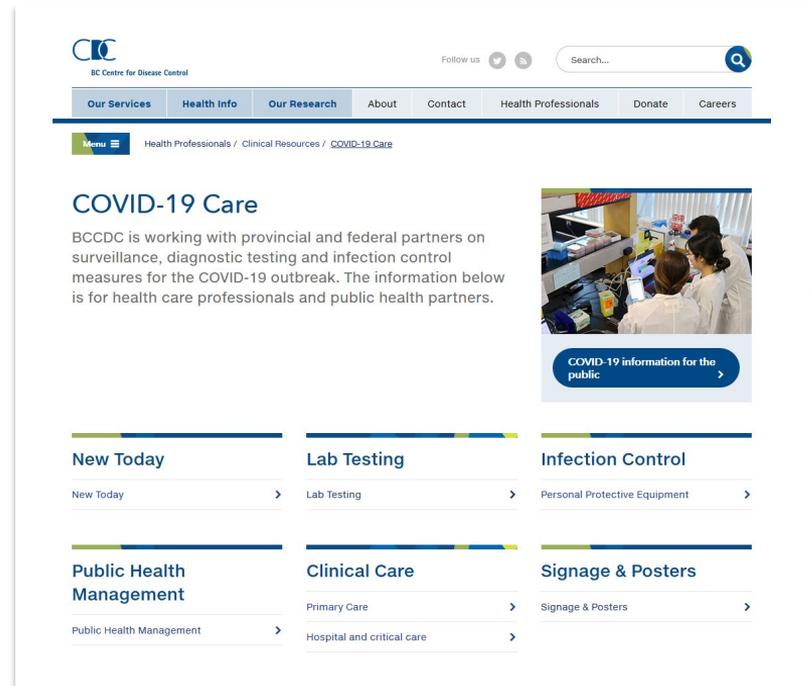
- *Telemedicine* practice standard updated
 - Ethical, professional and legal requirements unaltered
 - Consent, confidentiality, privacy
 - Limitations – use professional judgment
 - Consider carefully obligations for timely in-person assessment
 - Caution on prescriptions and other treatment recommendations
 - Referrals – include appropriate physical examination
 - Follow-up expectations, including after hours
 - FMRAC working group on telemedicine – chaired by Dr. Oetter

RETURNING TO PRACTICE

Patient safety considerations

Registrants advised to utilize resources from the BC Centre for Disease Control

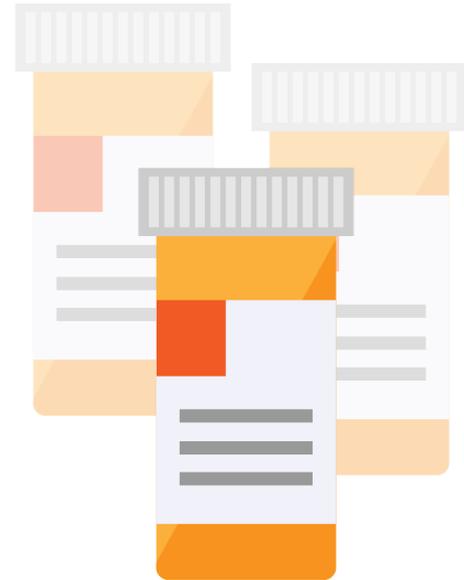
- Environmental cleaning and disinfectants for clinical settings
- AGMP aerosolized generating medical procedures
- Office signage
- Handwashing protocols, physical distancing



The screenshot displays the BCCDC website's COVID-19 resources page. At the top, the BCCDC logo and navigation menu are visible, including links for 'Our Services', 'Health Info', 'Our Research', 'About', 'Contact', 'Health Professionals', 'Donate', and 'Careers'. A search bar is located in the top right corner. Below the navigation, the page is titled 'COVID-19 Care' and includes a brief description: 'BCCDC is working with provincial and federal partners on surveillance, diagnostic testing and infection control measures for the COVID-19 outbreak. The information below is for health care professionals and public health partners.' An image shows two healthcare workers in a lab setting. A blue button with a right-pointing arrow is labeled 'COVID-19 information for the public'. Below this, there are six categorized links, each with a right-pointing arrow: 'New Today', 'Lab Testing', 'Infection Control', 'Public Health Management', 'Clinical Care', and 'Signage & Posters'. Each link has a sub-link listed below it, such as 'Personal Protective Equipment' under 'Infection Control'.

PRESCRIBING Legislation

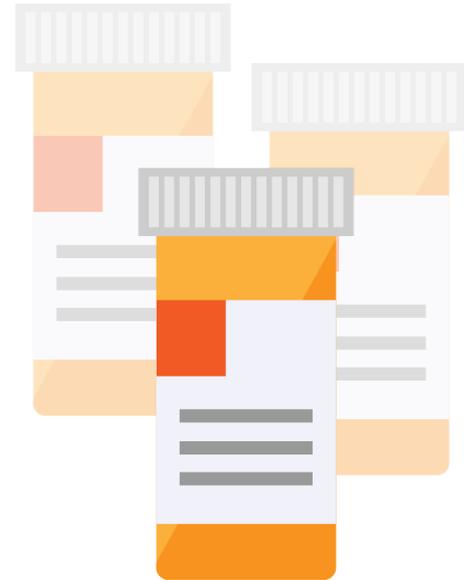
- *Controlled Drugs and Substances Act* updated
 - Pharmacists
 - extend/transfer
 - delivery controlled
 - Physicians
 - verbal/faxed orders for controlled
 - originals must still be delivered as soon as possible
- rxpads@cpsbc.ca



PRESCRIBING

Practice standards

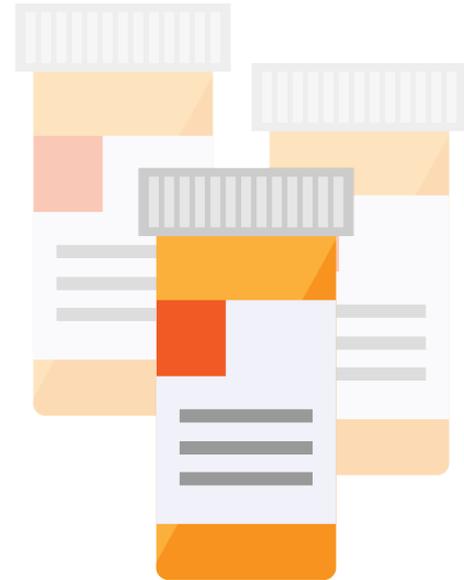
- College standards – removed key barriers
 - *Safe Prescribing of Opioids and Sedatives*
 - *Telemedicine*
 - Wet signatures
- Registrants should
 - assess needs of patients and assess risks/benefits
 - use good professional judgment
 - exercise prudent clinical practice



PRESCRIBING

Telemedicine considerations

- Non-controlled
- Controlled (narcotic pain medication)
- Opioid agonist treatment (OAT)
- PharmaNet



Documentation

- Continue to create and maintain medical records of consultation, including virtual delivery
- Ensure patients have enduring access to their records
- Records are to be available to other health-care professionals for provision of ongoing care



PERSONAL PROTECTIVE EQUIPMENT

Risk assessments and duty of care

- Point-of-care risk assessment (PCRA) prior to patient interaction
- Use professional judgment to evaluate likelihood of exposure for specific interaction, task and patient
- BCCDC has established guidelines for several populations and settings (i.e. vulnerable people, long-term care)
 - Check COVID-19 web page daily
- Health-care workers should not practise with fever or respiratory symptoms or other signs of illness



Patient confidentiality and privacy

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Physicians must not disclose information about COVID-19 patients—even if anonymized



During this unprecedented situation, we are all anxious to hear the latest news about COVID-19, especially about the number of cases and the extraordinary steps we are all being asked to take to prevent further spread.

The College has been working closely with Dr. Bonnie Henry and her office to ensure timely messages are delivered to physicians. As the provincial health officer, Dr. Henry is in constant touch with her national counterparts, the Ministry of Health and the health authorities, and is therefore the most qualified spokesperson to provide British Columbians with factual and timely updates about COVID-19. During her updates, Dr. Henry is taking great care to ensure the privacy of individuals who are affected, which of course is of utmost importance.

The College has recently learned of instances where information has been posted on social media or provided to the press about individual patient cases and test results, including the identification of certain smaller communities. This is not acceptable. Physicians must not disclose information about individual patients in any setting, including stories shared directly with other people, even if patient identities are not revealed. The risk of a privacy breach is too great. In the event of a complaint from an affected patient, a breach of this nature may be considered unprofessional conduct.

Please follow the guidance of the provincial health officer and refrain from adding to the confusion and anxiety by posting alarming messages or storytelling.

Patients should be obtaining the latest and most up-to-date information from Dr. Henry's daily news conferences and the [BC Centre for Disease Control website](#).



Registration

- Deployed emergency registration in early March
- Typical emergency registration facilitates movement of licensed practitioners from neighbouring jurisdictions to help out
- Reality is that all provinces and states are busy dealing with the pandemic
- Call was made for recently retired physicians to come back to practice
 - Less than two years since clinical experience
 - Registered at request of health authority
 - So far 72 retired physicians have stepped forward to return to clinical work



Other measures

- Academic registrants relieved of limitation of 40% time in clinical practice during the emergency
- Clinical fellows have had three-year limit on registration extended six months upon application



Scope of practice

- Health authority physicians may work outside current scope of practice if privileged by the health authority to do COVID-related work
- Health authority administrative physicians permitted to do work in health authority under supervision



Resources

- College updates (www.cpsbc.ca)
 - Standards
 - Guidelines
- Library – COVID-19 literature
 - *Cites and Bytes*
 - Search and procurement support
- Office of the Provincial Health Officer – COVID-19 (Novel Coronavirus)
(<https://www2.gov.bc.ca/gov/content/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/current-health-topics/covid-19-novel-coronavirus>)
- BCCDC – COVID-19 (<http://www.bccdc.ca/health-info/diseases-conditions/covid-19>)

Thank you

- Questions?
- www.cpsbc.ca

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