Duty of Treating Physicians and Physicians Working in the Context of a Physician Health Program to Report a Physician to the College

The Standards of Practice of the College of Physicians & Surgeons of Alberta ("the College") are the minimum standards of professional behavior and ethical conduct expected of all regulated members registered in Alberta. Standards of Practice are enforceable under the Health Professions Act and will be referenced in the management of complaints and in discipline hearings. The College of Physicians & Surgeons of Alberta also provides Advice to the Profession to support the implementation of the Standards of Practice.

1 A physician acting as the treating physician of a physician-patient, or a physician who is a non-treating physician working within a provincial health program, **must** report a physician to the College when the physician-patient suffers from any medical condition where it is reasonably foreseeable⁴ that patients of the physician-patient or others within the context of his/her medical practice⁵, could be seriously harmed⁶ (whether physically or psychologically) as a result of the medical condition.

(2) The treating physician **must** make all reasonable efforts to understand the nature and scope of the physician-patient’s practice and seek information, with the consent of the physician-patient, about the impact of the medical condition on the practice.

(3) If the treating physician is unable to ascertain that their own threshold to report has been met, the treating physician **must** consult with the College to discuss the circumstances. It is not necessary to provide names.

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¹ Reasonably foreseeable: The determination of what is reasonably foreseeable is based on what a reasonable physician would do given the same set of circumstances and requires a judgment call on the part of the physician. The following factors should be considered:

1. whether the physician’s condition is being appropriately managed and harm would only be anticipated if such management was not maintained.
2. whether there is sufficient information available to make a judgment about the physician-patient’s management of their health condition.
3. whether there is sufficient information to suggest that appropriate management will only occur with monitoring or oversight mechanisms in place.
4. whether the harm anticipated, if it materializes, would be irreversible; and/or whether the harm anticipated, if it materializes, would cause more than minimal pain (physical or psychological) or other injury.

² The practice of medicine includes not only patient care but all activities, such as working with other health care workers, teaching, research and administrative work done in the context of medical practice.

³ Serious harm is defined as that which is either irreversible or would result in more than minor pain or injury (whether psychological or physical).

**Terms used in the Standards of Practice:**
- "Regulated member" means any person who is registered or who is required to be registered as a member of this College. The College regulates physicians, surgeons and osteopaths.
- "Must" refers to a mandatory requirement.
- "May" means that the physician may exercise reasonable discretion.
- "Patient" includes, where applicable, the patient’s legal guardian or substitute decision maker.
(4) The physician-patient **must** be advised of their duty to self-report and must be supported in their reporting to the College.

(5) The treating physician **must** advise the physician-patient of their intent to report to the College.

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