

WHAT IS RESOLVE WITH CONSENT?

Resolve with Consent after an Investigation is a process for consensual resolution of complaint issues, requiring the mutual agreement of both the complainant and physician.

- 1. CPSA's Complaints Director (CD) evaluates the preliminary investigation report and findings about the complaint.**
 - The CD determines (on an individual basis) whether an educational and/or remedial approach to resolution is appropriate in the circumstances.
 - A quality improvement approach results in an enhanced level of practice for the physician and better medical care for future Albertans.
- 2. When a complaint is directed to Resolve With Consent, the CD works with both the complainant and physician on a resolution.**
 - The CD works with both parties to develop a fair and balanced approach to resolving the complaint, taking into account the unique facts of the situation.
 - When the approach to resolution is determined, the complainant will be asked for written consent to the proposed resolution and the physician will be asked to sign an agreement to complete the education/remediation.
- 3. Completion of resolution requirements.**
 - After the resolution is agreed upon by both parties, the resolution with consent aspect of the file is finished and the physician education/remediation begins.
 - CPSA tracks physician progress to ensure the resolution requirements are completed in a suitable time frame.
 - When all resolution requirements are satisfied, the CD notifies the complainant and confirms to the physician that the education/remediation is complete.

Helping ensure
**better care for
future patients.**

WHY USE RESOLVE WITH CONSENT?

When a physician acknowledges their mistakes, gains insight and takes responsibility to improve their practice, both complainants and other Albertans benefit from improved care.

WHAT IF THE COMPLAINANT OR PHYSICIAN DO NOT CONSENT?

If the complainant does not consent to the proposed resolution, they will be asked to explain the reasons in writing to the CD. The CD will consider the reasons and move the file forward either by:

1. Dismissing the complaint and addressing the preliminary findings with the physician. If this happens, the complainant will receive a detailed letter outlining the reasons for dismissal; or
2. Sending the file to legal counsel to prepare for a formal hearing.

FREQUENTLY ASKED QUESTIONS

How long does Resolve with Consent take?

Each case is unique and it can take several months for the parties to agree on resolution with consent.

Can the complainant refuse consent?

Yes. The complainant must provide their reasons for refusal in writing and the CD can explore whether an alternative approach to resolution is reasonable. Please review the **What If The Complainant Or Physician Do Not Consent?** section on the previous page for the possible options to resolve the complaint, should the complainant refuse consent.

Both the
complainant and
physician must
give consent.

Is there a time limit to provide consent?

Yes. In fairness to everyone involved, the complainant must provide consent within the time frame specified by the CD. Complainant consent to the process and general resolution is required before the physician is asked to agree to the specific resolution and begin work on the resolution requirements. Similarly, the physician is expected to agree to the proposed resolution within the time frame specified by the CD.

What are examples of educational/remedial activities for the physician?

Each situation is different, but common requirements are:

- Complete practice management training to improve a specific aspect of care.
- Attend professional development, such as a professionalism and ethics course.
- Participate in a formal Individual Practice Review or competence assessment through CPSA's Continuing Competence team.

Will the complainant be notified when the physician completes the requirements?

Yes. The CD will notify the complainant in writing when the physician has completed all resolution requirements. If the physician fails to satisfy all agreed upon requirements, the complainant will be notified and a new complaint file will be opened by the CD.

Is the CD available to answer questions?

Yes. You will be provided with contact information for CPSA's resolution team, who will arrange to connect and answer any questions you may have.

Questions?

Please contact CPSA's resolution team.